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General Assembly

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Human Rights Council
Thirty-ninth session
10–28 September 2018
Agenda item 2
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Argentina,* Canada,* Chile, Colombia,* Costa Rica,* Guatemala,* Guyana,* Honduras,* Mexico, Paraguay,* Peru: draft resolution

39/... Promotion and protection of human rights in the Bolivarian Republic of Venezuela

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Reaffirming that all States have a responsibility to promote and protect the human rights and fundamental freedoms of their citizens and to fulfil their obligations under the human rights treaties and agreements to which they are parties,

Recalling General Assembly resolution 60/251 of 15 March 2006, and Human Rights Council resolution 5/1 and decision 5/101, both of 18 June 2007,

Recalling in particular that the United Nations High Commissioner for Human Rights has the mandate to, inter alia, play an active role in removing the current obstacles and in meeting the challenges to the full realization of all human rights and in preventing the continuation of human rights violations throughout the world,

Bearing in mind that thousands of nationals of the Bolivarian Republic of Venezuela, including men, women and children, are forced to leave their country owing to a political, economic, social and humanitarian crisis that seriously affects their human rights,

1. *Welcomes* the report of the Office of the United Nations High Commissioner for Human Rights entitled "Human rights violations in the Bolivarian Republic of Venezuela: a downward spiral with no end in sight", published in June 2018;

2. *Expresses its deepest concern* at the serious human rights violations, which stem from a political, economic, social and humanitarian crisis, as documented in the above-mentioned report;

* State not a member of the Human Rights Council.

3. *Calls upon* the Government of the Bolivarian Republic of Venezuela to open its doors to humanitarian assistance in order to address the scarcity of food and medicine, the rise of malnutrition, especially among children, and the outbreak of diseases that had been previously eradicated or kept under control in South America;

4. *Urges* the Government of the Bolivarian Republic of Venezuela to cooperate with the Office of the High Commissioner and the mechanisms of the Human Rights Council;

5. *Requests* the High Commissioner to prepare a comprehensive written report on the human rights situation in the Bolivarian Republic of Venezuela and to present it to the Human Rights Council at its forty-first session, to be followed by an interactive dialogue, and to present an oral update on the human rights situation to the Council at its fortieth and forty-second sessions.

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Human Rights Council
Thirty-ninth session
10–28 September 2018
Agenda item 2
Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Albania,* Argentina,* Australia, Austria,* Belgium, Bulgaria,* Canada,* Chile, Colombia,* Costa Rica,* Croatia, Cyprus,* Czechia,* Denmark,* Estonia,* Finland,* France,* Georgia, Germany, Guatemala,* Guyana,* Honduras,* Iceland, Ireland,* Liechtenstein,* Lithuania,* Luxembourg,* Mexico, Monaco,* Montenegro,* Netherlands,* New Zealand,* Norway,* Paraguay,* Peru, Poland,* Romania,* Slovakia, Slovenia, Sweden,* Ukraine, United Kingdom of Great Britain and Northern Ireland: draft resolution

39/... Promotion and protection of human rights in the Bolivarian Republic of Venezuela

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Reaffirming the primary responsibility of States to promote and protect the human rights and fundamental freedoms of their citizens and to fulfil their obligations under the human rights treaties and agreements to which they are parties,

Recalling General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolution 5/1 of 18 June 2007,

Recalling in particular that the United Nations High Commissioner for Human Rights has the mandate to, inter alia, play an active role in removing the current obstacles and in meeting the challenges to the full realization of all human rights and in preventing the continuation of human rights violations throughout the world,

Bearing in mind that hundreds of thousands of nationals of the Bolivarian Republic of Venezuela, including men, women and children, are forced to leave their country as a result of, inter alia, a political, economic, social and humanitarian crisis that seriously affects their human rights,

1. *Welcomes* the report of the Office of the United Nations High Commissioner for Human Rights entitled "Human rights violations in the Bolivarian Republic of Venezuela: a downward spiral with no end in sight", published in June 2018;

* State not a member of the Human Rights Council.

2. *Expresses its deepest concern* at the serious human rights violations in a context of a political, economic, social and humanitarian crisis, as documented in the above-mentioned report;

3. *Calls upon* the Government of the Bolivarian Republic of Venezuela to accept humanitarian assistance in order to address the scarcity of food, medicine and medical supplies, the rise of malnutrition, especially among children, and the outbreak of diseases that had been previously eradicated or kept under control in South America;

4. *Urges* the Government of the Bolivarian Republic of Venezuela to cooperate with the Office of the High Commissioner and the mechanisms of the Human Rights Council;

5. *Requests* the High Commissioner to prepare a comprehensive written report on the human rights situation in the Bolivarian Republic of Venezuela and to present it to the Human Rights Council at its forty-first session, to be followed by an enhanced interactive dialogue, and to present an oral update on the human rights situation to the Council at its fortieth and forty-second sessions.

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Human Rights Council
Thirty-ninth session
10–28 September 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania,* Algeria,* Andorra,* Australia, Austria,* Belgium, Brazil, Bulgaria,* Canada,* Chile, Costa Rica,* Croatia, Cyprus,* Ecuador, Finland,* France,* Germany, Greece,* Honduras,* Hungary, Iceland, Ireland,* Italy,* Latvia,* Liechtenstein,* Lithuania,* Luxembourg,* Madagascar,* Maldives,* Mexico, Monaco,* Montenegro,* Morocco,* Netherlands,* Paraguay,* Peru, Philippines, Poland,* Portugal,* Qatar, Romania,* Slovakia, Slovenia, Spain, Sweden,* Switzerland, Thailand,* Turkey,* Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay:* draft resolution

39/... World Programme for Human Rights Education

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming that, as stipulated in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, and in other international human rights instruments, States are duty-bound to ensure that education is aimed at strengthening the respect of human rights and fundamental freedoms,

Recalling General Assembly resolution 59/113 A of 10 December 2004, in which the Assembly proclaimed the World Programme for Human Rights Education, and resolution 60/251 of 15 March 2006, in which the Assembly decided, inter alia, that the Human Rights Council should promote human rights education and learning,

Reaffirming the United Nations Declaration on Human Rights Education and Training, adopted by the General Assembly in its resolution 66/137 of 19 December 2011,

Recalling previous Human Rights Council resolutions on the World Programme for Human Rights Education, the most recent being resolution 36/12 of 28 September 2017,

Recalling also that the World Programme is an ongoing initiative, structured in consecutive phases, to advance the implementation of human rights education programmes in all sectors, and that States should continue the implementation of previous phases while taking the necessary measures to implement the current phase,

Recognizing that the World Programme for Human Rights Education focused, in its first phase, on the integration of human rights education into the primary and secondary

* State not a member of the Human Rights Council.

school systems, in its second phase, on human rights education in higher education and human rights training for teachers and educators, civil servants, law enforcement officials and military personnel, and in its third phase, on the implementation of the first two phases and on promoting human rights training for media professionals and journalists,

Believing that human rights education and training are essential to the effective realization of human rights and fundamental freedoms, and contribute significantly by promoting equality, preventing conflict and human rights violations and abuses, and enhancing participation and democratic processes with a view to developing societies in which all human beings are valued and respected, without discrimination or distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recognizing the links between the right to education and the struggle against racism, racial discrimination, xenophobia and related intolerance, and the essential role of education, including human rights education and education which is sensitive to and respects cultural diversity, especially among youth, in the prevention and eradication of all forms of intolerance and discrimination,

Recalling the adoption of the 2030 Agenda for Sustainable Development, including Goal 4, target 7 thereof, and of the Education 2030 Framework for Action, and affirming the interlinkages and integrated nature of all Sustainable Development Goals and targets,

1. *Takes note* of the report of the United Nations High Commissioner for Human Rights on the consultation on the target sectors, focus areas or thematic human rights issues for the fourth phase of the World Programme for Human Rights Education;[1]

2. *Encourages* States and relevant stakeholders to, during the fourth phase of the World Programme, strengthen efforts to advance the implementation of the three previous phases, with special emphasis on:

(a) Advancing implementation by focusing especially on women, girls and children, and engaging with groups and individuals in vulnerable situations, in accordance with the objective of the 2030 Agenda for Sustainable development of "leaving no one behind", and consolidating the work done;

(b) Providing human rights education and training for educators in formal and non-formal education and training, in particular those working with children and youth;

(c) Undertaking related research and mapping, sharing good practices and lessons learned, and sharing information among all actors;

(d) Applying and strengthening sound educational methodologies based on good practices and assessed through continued evaluation;

(e) Fostering dialogue, cooperation, networking and information-sharing among relevant stakeholders;

(f) Furthering the integration of human rights education and training into school and training curricula;

(g) Strengthening follow-up to the implementation of all previous phases of the World Programme for Human Rights Education;

3. *Decides* to make youth the focus group of the fourth phase of the World Programme for Human Rights Education, with special emphasis on education and training in equality, human rights and non-discrimination, and inclusion and respect for diversity with the aim of building inclusive and peaceful societies, and to align the fourth phase with the 2030 Agenda for Sustainable Development and specifically with target 4.7 of the Sustainable Development Goals, taking into account the synergies between the different concepts and educational methods mentioned therein;

[1] A/HRC/39/35.

4. *Calls upon* States and, where applicable, relevant governmental authorities and other stakeholders to increase their efforts to implement, disseminate and promote universal respect for and understanding of the United Nations Declaration on Human Rights Education and Training;

5. *Encourages* States to develop, as appropriate, comprehensive and sustainable national plans of action for human rights education and training, with dedicated resources;

6. *Requests* the Office of the High Commissioner to prepare, from within existing resources, and taking into account the report of the High Commissioner[1] and future relevant consultations, a plan of action for the fourth phase of the World Programme (2020-2024), in consultation with States, relevant intergovernmental organizations, in particular the United Nations Educational, Scientific and Cultural Organization, national human rights institutions and civil society, including non-governmental organizations, and to submit the plan of action to the Human Rights Council for its consideration at its forty-second session;

7. *Recommends* that the Secretary-General ensure that an adequate component of United Nations assistance, to be provided at the request of Member States to develop their national systems of promotion and protection of human rights, is available to support human rights education and training;

8. *Decides* to consider this issue at its forty-second session in accordance with its programme of work.

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Human Rights Council
Thirty-ninth session
10–28 September 2018
Agenda item 10
Technical assistance and capacity-building

Albania,* Angola, Australia, Austria,* Azerbaijan,* Bahamas,* Belgium, Brazil, Bulgaria,* Canada,* Chile, Croatia, Cyprus,* Denmark,* Ecuador, Finland,* Fiji,* France,* Germany, Haiti,* Honduras,* Hungary, Iceland, Indonesia,* Ireland,* Italy,* Kenya, Lithuania,* Luxembourg,* Maldives,* Malta,* Mexico, Montenegro,* Morocco,* Netherlands,* Norway,* Paraguay,* Peru, Philippines, Poland,* Portugal,* Qatar, Republic of Moldova, Romania,* Singapore,* Slovenia, Spain, Sudan,* Thailand,* Tunisia, Turkey,* Ukraine, Uruguay:* draft resolution

39/... Enhancement of technical cooperation and capacity-building in the field of human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations, particularly with regard to achieving international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms for all, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming the obligation of States under the Charter to promote universal respect for and observance of human rights and fundamental freedoms,

Recalling all relevant international human rights treaties, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of Persons with Disabilities and the International Convention on the Elimination of All Forms of Racial Discrimination,

Recognizing that the enhancement of international cooperation is essential for the effective promotion and protection of human rights, which should be based on the principles of cooperation and genuine dialogue and aimed at strengthening the capacity of States to prevent human rights violations and to comply with their human rights obligations for the benefit of all human beings,

Bearing in mind the mandate of the Human Rights Council, as stated by the General Assembly in its resolution 60/251 of 15 March 2006, to promote advisory services, technical assistance and capacity-building, to be provided in consultation with and with the consent of the States concerned, and the provisions of Council resolutions 5/1 and 5/2 of 18

* State not a member of the Human Rights Council.

June 2007 and 16/21 of 25 March 2011 that aim to enable the Council to fulfil such a mandate,

Recalling all relevant resolutions of the Human Rights Council on the enhancement of technical cooperation and capacity-building in the field of human rights, including the human rights of older persons,

Bearing in mind the Political Declaration and the Madrid International Plan of Action on Ageing of 2002, and all other relevant General Assembly resolutions,

Underscoring that international human rights treaties prohibit discrimination on, inter alia, the basis of age, and that national legislation should adhere to the State's international obligations,

Recalling that the 2030 Agenda for Sustainable Development stresses the need to ensure that no one is left behind, including older persons, and in this regard recognizing the essential contribution that older men and women make to the functioning of societies and to the achievement of the 2030 Agenda,

Noting with appreciation the contributions of international human rights bodies and mechanisms, including the treaty bodies, and the Human Rights Council and its mechanisms, such as the special procedures and the universal periodic review, in promoting the implementation of the 2030 Agenda in accordance with States' human rights obligations,

Recognizing that older persons face a number of particular challenges in the enjoyment of their human rights that need to be addressed urgently, including in the areas of prevention of and protection against violence and abuse, social protection, food and housing, the right to work, equality and non-discrimination, access to justice, education, training, health support, long-term and palliative care, lifelong learning, participation and accessibility, and recognizing also that the discrimination older women experience is often multidimensional, with age discrimination compounding other forms of discrimination, and that technical cooperation and capacity-building, including through regional cooperation, can support and enhance States' efforts to address these challenges and to promote active and healthy ageing,

Emphasizing the importance of promoting inclusive, age-friendly communities and environments and of providing a range of support services that promote the dignity, autonomy and independence of older persons, to enable older persons to age in place, with due regard to individual preferences,

Emphasizing also that consultation with and the meaningful and effective participation of older persons and their organizations are essential in the formulation and adoption of legislation and policies, in particular those relating to their specific needs and concerns,

Acknowledging that States are encouraged to enhance their capacity to more effectively collect data, statistics and qualitative information, disaggregated when necessary by relevant factors, in order to improve assessment of the situation of older persons,

Reiterating that one of the responsibilities of the United Nations High Commissioner for Human Rights and the Office of the High Commissioner is to provide advisory services and technical assistance, at the request of the State concerned, with a view to supporting actions and programmes in the field of human rights, and to coordinate activities to promote and protect human rights throughout the United Nations system in accordance with the mandate of the Office,

Appreciating the important role of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the Voluntary Trust Fund for Participation in the Universal Periodic Review, the Voluntary Technical Assistance Trust Fund to Support the Participation of Least Developed Countries and Small Island Developing States in the Work of the Human Rights Council and the Voluntary Trust Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review in supporting States in developing their national capacities to promote the effective implementation of their human rights obligations and accepted universal periodic review

recommendations, including those pertaining to the rights of older persons, which have contributed to tangible improvements in the situation of human rights on the ground,

Noting with appreciation the contributions of the Board of Trustees of the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights and of the Voluntary Trust Fund for Financial and Technical Assistance for the Implementation of the Universal Periodic Review through their annual reports to the Human Rights Council, in particular on the components of technical cooperation and the identification of good practices,

Welcoming the work, and taking note with appreciation of the reports,[1] of the Independent Expert on the enjoyment of all human rights by older persons, whose mandate includes, inter alia, conducting, facilitating and supporting the provision of advisory services, technical assistance, capacity-building and international cooperation in support of national efforts for the effective realization of the rights of older persons, and acknowledging the work of the Open-ended Working Group on Ageing,

1. *Emphasizes* that the general debate under agenda item 10 is an essential platform for Members and observers of the Human Rights Council to share their visions and views to promote more effective technical cooperation and capacity-building in the field of human rights, and to share concrete experiences, challenges and information on assistance needed in the implementation of their human rights obligations and voluntary pledges and commitments, and of accepted universal periodic review recommendations, and their achievements and good practices in this area;

2. *Reiterates* that technical cooperation and capacity-building in the field of human rights continue to be based on consultations with and the consent of the States concerned, and should take into account their needs, and the fact that all human rights are universal, indivisible, interdependent and interrelated and aim to make a concrete impact on the ground;

3. *Underscores* the need to strengthen international, regional and bilateral cooperation and dialogue in the promotion and protection of human rights, including the human rights of older persons;

4. *Reaffirms* that technical cooperation should remain an inclusive exercise that engages and involves all national stakeholders, including government agencies, national human rights institutions and civil society;

5. *Also reaffirms* the ongoing need for enhanced voluntary contributions to the relevant United Nations funds to support technical assistance and capacity-building in the field of human rights, and encourages States to continue to make contributions to these funds, especially those who have not yet done so;

6. *Welcomes* the panel discussion held pursuant to its resolution 36/28 of 29 September 2017 at its thirty-eighth session on the theme "Human rights and the Sustainable Development Goals: enhancing human rights technical cooperation and capacity-building to contribute to the effective and inclusive implementation of the 2030 Agenda for Sustainable Development", at which participants discussed the mutually reinforcing linkages between human rights and the Sustainable Development Goals, the role of the human rights treaty bodies in consolidating this two-way interaction, the need to maximize impact on the ground and ensure policy coherence at the national level, the need for capacity-building in the area of national statistical systems, and the importance of multi-stakeholder partnerships among Governments, United Nations country teams and agencies, national human rights institutions and civil society;

7. *Decides*, in accordance with paragraphs 3 and 4 of its resolution 18/18 of 29 September 2011, that the theme for the annual thematic panel discussion under agenda item 10, to be held during its forty-first session, will be "Technical cooperation and capacity-building in the field of the human rights of older persons";

[1] A/HRC/39/50 and Adds.1–2.

8. *Requests* the Office of the High Commissioner to prepare a report, to be submitted to the Council at its forty-first session to serve as a basis for the panel discussion, on the activities undertaken by the Office and relevant United Nations country teams and agencies, and regional organizations to support States' efforts to promote and protect the human rights of older persons and their autonomy and independence, and address implementation gaps in national legislation, policies and programmes, including, where applicable, those relating to the Sustainable Development Goals, income security, the promotion of active and healthy ageing, the use of assistive technology, access to information and lifelong learning, combating all forms of discrimination against older persons, paying particular attention to older women, and supporting the full integration of older persons in society and access to care, health and support services for older persons in their communities;

9. *Calls upon* States, international human rights bodies and mechanisms, relevant international organizations, national human rights institutions and civil society to share best practices and make use of the ideas and issues raised in the panel discussion to enhance the efficiency, effectiveness and policy coherence of technical cooperation and capacity-building efforts in the promotion and protection of the human rights, including the rights of older persons.

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Agenda item 1
Organizational and procedural matters

Statement by the President

PRST 39/... Reports of the Advisory Committee

At the … meeting, held on … September 2018, the President of the Human Rights Council made the following statement:

> "The Human Rights Council, recalling its resolutions 5/1 of 8 June 2007 and 16/21 of 25 March 2011, in particular section III of the annexes thereto, including on the functions of the Advisory Committee, takes note of the reports of the Advisory Committee on its twentieth and twenty-first sessions,[1] and notes that the Advisory Committee has made two research proposals."[2]

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[1] A/HRC/AC/20/2 and A/HRC/AC/21/2.
[2] See A/HRC/AC/20/2, annex IV and A/HRC/AC/21/2, annex III.

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Human Rights Council
Thirty-ninth session
10–28 September 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Bolivia (Plurinational State of),* Cuba, Ecuador, Egypt, Haiti,* Nicaragua,* South Africa, Venezuela (Bolivarian Republic of): draft resolution

39/... Promotion of a democratic and equitable international order

The Human Rights Council,

Recalling all previous resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the promotion of a democratic and equitable international order, in particular Assembly resolution 65/223 of 21 December 2010 and Council resolutions 8/5 of 18 June 2008, 18/6 of 29 September 2011, 21/9 of 27 September 2012, 25/15 of 27 March 2014, 27/9 of 25 September 2014, 30/29 of 2 October 2015, 33/3 of 29 September 2016 and 36/4 of 28 September 2017,

Recalling also Human Rights Council resolutions 5/1, on the institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his or her duties in accordance with those resolutions and the annexes thereto,

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law,

Affirming that the enhancement of international cooperation for the promotion and the protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and of international law as set forth in Articles 1 and 2 of the Charter and with, inter alia, full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

* State not a member of the Human Rights Council.

GE.18-15575(E)
1815575

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Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practice tolerance and good neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues and threats to international peace and security must be shared among the nations of the world and should be exercised multilaterally and that, in this regard, the central role must be played by the United Nations as the most universal and representative organization in the world,

Concerned about the continued abuse by Member States of the extraterritorial application of their national legislation in a manner that affects the sovereignty of other States, the legitimate interests of entities or persons under their jurisdiction and the full enjoyment of human rights,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and the protection of human rights should be based on the principle of cooperation and genuine dialogue and be aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Affirming that the right of every State to take part in the conduct of international affairs is essential to the realization of an international order that is democratic and equitable,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, the inequitable distribution of wealth, marginalization and social exclusion,

Reaffirming that dialogue among religions, cultures and civilizations could contribute greatly to the enhancement of international cooperation at all levels,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on our common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Stressing the need for adequate financing of and technology transfer to developing countries, in particular landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Reaffirms* that everyone is entitled to a democratic and equitable international order;

2. *Also reaffirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Declares* that democracy includes respect for all human rights and fundamental freedoms and is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives, and reaffirms the need for universal adherence to and implementation of the rule of law at both the national and international levels;

4. *Reaffirms* the Universal Declaration of Human Rights, in particular the principle that the will of the people, as expressed through periodic and genuine elections, shall be the basis of government authority, and the right to choose representatives freely through periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures;

5. *Calls upon* all Member States to fulfil their commitment expressed during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies and increased intercultural exchange through the preservation and promotion of cultural diversity;

6. *Reaffirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and pursue freely their economic, social and cultural development, in accordance with the Charter of the United Nations and relevant resolutions of the United Nations;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) International solidarity, as a right of peoples and individuals;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principle of full and equal participation in their respective decision-making mechanisms;

(h) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(i) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(j) The promotion of a free, just, effective and balanced international information and communications order based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(k) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(l) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(m) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in international economic, commercial and financial relations;

(n) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(o) The shared responsibility of the nations of the world for managing worldwide economic and social development, and threats to international peace and security, that should be exercised multilaterally;

7. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, and of respect for national and regional particularities and various historical, cultural and religious backgrounds, in the enhancement of international cooperation in the field of human rights;

8. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

9. *Reaffirms*, among other principles, the principles of sovereign equality of States, of non-intervention and of non-interference in internal affairs;

10. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and the promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

11. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security, and to that end should do their utmost to achieve general and complete disarmament under effective international control, and to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of developing countries;

12. *Underlines* that attempts to overthrow legitimate Governments by force disrupt the democratic and constitutional order, the legitimate exercise of power and the full enjoyment of human rights;

13. *Reaffirms* the need to continue to work urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, in order to correct inequalities and redress existing injustices, to make it possible to eliminate the widening gap between developed and developing countries and to ensure steadily accelerating economic and social development and peace and justice for present and future generations;

14. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

15. Affirms that a democratic and equitable international order, as prescribed in the Charter, cannot be achieved through deregulation of trade, markets and financial services;

16. *Takes note* of the reports of the Independent Expert on the promotion of a democratic and equitable international order;[1]

17. *Invites* the Independent Expert to continue his research into the impact of financial and economic policies pursued by international organizations and other institutions on a democratic and equitable international order, in particular those of the World Bank and the International Monetary Fund;

18. *Calls upon* all Governments to cooperate with and assist the Independent Expert in the discharge of his mandate, and to provide him with all the necessary information requested by him in order to enable him to fulfil his duties effectively;

19. *Requests* the United Nations High Commissioner for Human Rights to continue to provide all the necessary human and financial resources for the effective fulfilment of the mandate by the Independent Expert;

20. *Requests* the Independent Expert to submit to the Human Rights Council, at its forty-second session, a report on the implementation of the present resolution;

21. *Invites* the Independent Expert to continue to develop close cooperation with academia, think tanks and research institutes, such as the South Centre, and with other stakeholders from all regions;

22. *Requests* the human rights treaty bodies, the Office of the High Commissioner, the special mechanisms of the Human Rights Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions to its implementation;

23. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

24. *Requests* the Office of the High Commissioner to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

25. *Decides* to continue consideration of this matter under the same agenda item at its forty-second session.

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[1] A/HRC/39/47 and Add.1.

United Nations A/HRC/39/L.6

General Assembly

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Human Rights Council
Thirty-ninth session
10–28 September 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Bolivia (Plurinational State of),* Cuba, Ecuador, Egypt, Nicaragua,* South Africa, Venezuela (Bolivarian Republic of): draft resolution

39/... The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

The Human Rights Council,

Recalling all previous resolutions adopted by the General Assembly, the Human Rights Council and the Commission on Human Rights on the subject, including Assembly resolution 64/151 of 18 December 2009 and Council resolutions 10/11 of 26 March 2009, 15/12 of 30 September 2010, 15/26 of 1 October 2010, 18/4 of 29 September 2011, 24/13 of 26 September 2013, 27/10 of 25 September 2014, 30/6 of 1 October 2015, 33/4 of 29 September 2016 and 36/3 of 28 September 2017,

Recalling also all relevant resolutions that, inter alia, condemn any State that permits or tolerates the recruitment, financing, training, assembly, transit or use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, or of fighting against national liberation movements, and recalling further the relevant resolutions and international instruments adopted by the General Assembly, the Security Council, the Economic and Social Council, the African Union and the Organization of African Unity, inter alia, the Organization of African Unity Convention for the Elimination of Mercenarism in Africa,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the self-determination of peoples, the non-use of force or threat of use of force in international relations and non-interference in affairs within the domestic jurisdiction of States,

Reaffirming also that, by virtue of the principle of self-determination, all peoples have the right to determine freely their political status and to pursue freely their economic, social and cultural development, and that every State has the duty to respect this right in accordance with the provisions of the Charter,

* State not a member of the Human Rights Council.

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Reaffirming further the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Extremely alarmed and concerned about the threat posed by the activities of mercenaries to peace and security in developing countries in various parts of the world, in particular in areas of conflict, and about the threat they pose to the integrity of and respect for the constitutional order of the countries affected,

Deeply concerned at the loss of life, the substantial damage to property and the negative effects on the policies and economies of affected countries resulting from international criminal mercenary activities,

Convinced that, regardless of the way in which mercenaries or mercenary-related activities are used or the form that they take to acquire a semblance of legitimacy, they are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

1. *Reaffirms* that the use of mercenaries, and their recruitment, financing, protection and training, are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

2. *Recognizes* that armed conflicts, terrorism, arms trafficking and covert operations by third Powers encourage, inter alia, the demand for mercenaries and for private military and security companies on the global market;

3. *Urges* once again all States to take the necessary steps and to exercise the utmost vigilance against the threat posed by the activities of mercenaries, and to take legislative measures to ensure that their territories and other territories under their control, and their nationals, are not used for the recruitment, assembly, financing, training, protection and transit of mercenaries for the planning of activities designed to impede the right to self-determination, to overthrow the Government of any State or to dismember or to impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the right of peoples to self-determination;

4. *Requests* all States to exercise the utmost vigilance against any kind of recruitment, training, hiring or financing of mercenaries;

5. *Also requests* all States to exercise the utmost vigilance in banning the use of private companies offering international military consultancy and security services when intervening in armed conflicts or actions to destabilize constitutional regimes;

6. *Encourages* States that import the consultancy and security services provided by private companies, including in the extractive industries, to establish national regulatory mechanisms for the registering and licensing of those companies, for accountability of the companies and their personnel and for remedies for violations resulting from their activities, in order to ensure that imported services provided by those private companies neither impede the enjoyment of human rights nor violate human rights in the recipient country;

7. *Calls upon* all States that have not yet become a party to the International Convention against the Recruitment, Use, Financing and Training of Mercenaries to consider taking the necessary action to do so;

8. *Welcomes* the cooperation extended by those countries that were visited by the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, and the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

9. *Condemns* mercenary activities in developing countries in various parts of the world, in particular in areas of conflict, and the threat they pose to the integrity of and to respect for the constitutional order of those countries and to the exercise of the right to self-determination of their peoples, and stresses the importance for the Working Group of

looking into sources and root causes, and into the political motivations of mercenaries and for mercenary-related activities;

10. *Calls upon* States to investigate the possibility of mercenary and mercenary-related involvement whenever and wherever criminal acts of a terrorist nature occur and to bring to trial those found responsible or to consider their extradition, if so requested, in accordance with national law and applicable bilateral or international treaties;

11. *Recognizes* that mercenary activity is a complex crime in which criminal responsibility falls upon those who have recruited, employed, trained and financed the mercenary or mercenaries, and upon those who have planned and ordered their criminal activity;

12. *Condemns* any form of impunity granted to perpetrators of mercenary activities and to those responsible for the use, recruitment, financing and training of mercenaries, and urges all States, in accordance with their obligations under international law, to bring them, without distinction, to justice;

13. *Calls upon* the international community and all States, in accordance with their obligations under international law, to cooperate with and assist the judicial prosecution of those accused of mercenary activities, in transparent, open and fair trials;

14. *Acknowledges with appreciation* the work and contributions of the Working Group, including its research activities, and takes note of its most recent report;[1]

15. *Requests* the Working Group and other experts to continue their participation, including by submitting contributions, in other subsidiary bodies of the Human Rights Council considering issues related to the use of mercenaries and mercenary-related activities in all their forms and manifestations, including private military and security companies;

16. *Requests* the Working Group to continue the work already carried out by previous mandate holders on the strengthening of the international legal framework for the prevention and sanction of the recruitment, use, financing and training of mercenaries, taking into account the proposal for a new legal definition of the term "mercenary" drafted by the Special Rapporteur on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination in his report submitted to the Commission on Human Rights at its sixtieth session,[2] and also the evolving phenomenon of mercenaries and its related forms;

17. *In this regard also requests* the Working Group to continue to monitor mercenaries and mercenary-related activities in all their forms and manifestations in different parts of the world, including instances of protection provided by Governments to individuals involved in mercenary activities, and to continue to update the database of individuals convicted of mercenary activities;

18. *Requests* the Working Group to continue to study and identify new sources and causes, emerging issues, manifestations and trends with regard to mercenaries and mercenary-related activities and their impact on human rights, particularly on the right of peoples to self-determination;

19. *Urges* all States to cooperate fully with the Working Group in the fulfilment of its mandate;

20. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Working Group with all the assistance and support necessary for the fulfilment of its mandate, both professional and financial, including by promoting cooperation between the Working Group and other components of the United Nations system that deal with countering mercenary-related activities, in order to meet the demands of its current and future activities;

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[1] A/HRC/39/49.

[2] E/CN.4/2004/15.

21. *Requests* the Working Group to consult States, intergovernmental and non-governmental organizations and other relevant civil society actors in the implementation of the present resolution, and to report its findings on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination to the General Assembly at its seventy-fourth session and to the Human Rights Council at its forty-second session;

22. *Decides* to continue its consideration of this matter under the same agenda item at its forty-second session.

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Human Rights Council
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10–28 September 2018
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania,* Algeria,* Andorra,* Argentina,* Australia, Austria,* Belgium, Brazil, Bulgaria,* Canada,* Chile, Colombia,* Croatia, Cyprus,* Czechia,* Denmark,* Ecuador, Estonia,* Finland,* France,* Georgia, Germany, Greece,* Haiti,* Honduras,* Kenya,* Iceland, Ireland,* Italy,* Latvia,* Liechtenstein,* Lithuania,* Luxembourg,* Malta,* Mexico, Monaco,* Mongolia, Montenegro,* Morocco,* Netherlands,* New Zealand,* Norway,* Paraguay,* Peru, Philippines, Poland,* Portugal,* Qatar, Romania,* Serbia,* Slovakia, Slovenia, Spain, Sweden,* Tunisia, United Kingdom of Great Britain and Northern Ireland, Ukraine, Uruguay:* draft resolution

39/... The safety of journalists

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, and recalling relevant international human rights treaties, including the International Covenant on Civil and Political Rights and the International Convention for the Protection of All Persons from Enforced Disappearance, and the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 8 June 1977,

Recalling all General Assembly and Human Rights Council resolutions on the safety of journalists, in particular Assembly resolution 72/175 of 19 December 2017 and Council resolution 33/2 of 29 September 2016, as well as Security Council resolutions 1738 (2006) of 23 December 2006 and 2222 (2015) of 27 May 2015, on the protection of civilians in armed conflict,

Taking note with appreciation of the report of the Office of the United Nations High Commissioner for Human Rights on the safety of journalists,[1]

Recalling all other relevant reports of the Secretary-General, the Office of the High Commissioner and special procedures of the Human Rights Council on the safety of journalists,

* State not a member of the Human Rights Council.
[1] A/HRC/39/23.

Recalling also the options put forward in the outcome of the multi-stakeholder consultation on strengthening the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity,

Welcoming the decision of the Secretary-General to appoint a designated official on the safety of journalists in his Executive Office and to mobilize a network of focal points throughout the United Nations system to propose specific steps to intensify efforts to enhance the safety of journalists and media workers,

Welcoming also the important work of the United Nations Educational, Scientific and Cultural Organization for the safety of journalists, including its role in monitoring developments in this area, as reflected in its Global Report 2017/2018 entitled *World Trends in Freedom of Expression and Media Development*, and expressing concern at the increase in violence against and harassment of journalists described therein,

Welcoming further the initiatives taken by States, media organization and civil society relevant to the safety of journalists, and taking note in this regard of the Freelance Journalist Safety Principles and the International Declaration on the Protection of Journalists presented at the World Congress of the International Press Institute, held in March 2016 in Doha,

Mindful that the right to freedom of opinion and expression is a human right guaranteed to all, in accordance with article 19 of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights, and that it constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and development,

Recognizing the importance of freedom of expression and of a free, independent, plural and diverse media, online as well as offline, in building and supporting the functioning of inclusive and peaceful knowledge societies and democracies, an informed citizenry, the rule of law and participation in public affairs, in holding public institutions and officials accountable, including by exposing corruption, and in fostering intercultural dialogue, peace and good governance, as well as mutual understanding and cooperation,

Underlining the importance of voluntary professional principles and ethics developed and observed by the media,

Recognizing the crucial role of journalists and media workers in the context of elections, including to inform the public about candidates, their platforms and ongoing debates, and expressing serious concern that attacks against journalists and media workers increase during election periods,

Recognizing also the importance of public trust in and the credibility of journalism, in particular the challenges of maintaining media professionalism in an environment where new forms of media are constantly evolving and where targeted disinformation and smear campaigns to discredit the work of journalists are increasing,

Recognizing further that the work of journalists often puts them at specific risk of intimidation, threats, harassment and violence, including the targeting of their family members, which often deters journalists from continuing their work or encourages self-censorship, consequently depriving society of important information,

Deeply concerned by all human rights violations and abuses committed in relation to the safety of journalists and media workers, including killing, torture, enforced disappearance, arbitrary arrest and arbitrary detention, expulsion, intimidation, harassment, threats, including of a physical, legal, political, technological and economic nature, and acts of other forms of violence,

Deeply alarmed at the specific risks faced by women journalists in relation to their work, and underlining in this context the importance of taking a gender-sensitive approach when considering measures to address the safety of journalists, including in the online sphere, in particular to effectively tackle gender-based discrimination, including sexual and gender-based violence, threats, intimidation, harassment, inequality and gender-based stereotypes, and to enable women to enter and remain in journalism on terms of equality

and non-discrimination, while ensuring their greatest possible safety, and to ensure that the experiences and concerns of women journalists are effectively addressed,

Alarmed at instances in which political leaders, public officials and/or authorities denigrate, intimidate or threaten the media, including individual journalists, which increases the risk of threats and violence against journalists and undermines public trust in the credibility of journalism,

Expressing serious concern at attacks and violence against journalists and media workers in situations of armed conflict, and recalling in this regard that journalists and media workers engaged in dangerous professional missions in areas of armed conflict shall be considered civilians and shall be protected as such, provided that they take no action adversely affecting their status as civilians,

Expressing deep concern at the growing threat to the safety of journalists posed by non-State actors, including terrorist groups and criminal organizations,

Recognizing that national legal frameworks consistent with States' international human rights obligations and commitments are an essential condition for a safe and enabling environment for journalists, and expressing deep concern about the misuse of national laws, policies and practices to hinder or limit the ability of journalists to perform their work independently and without undue interference,

Recognizing also the important role that national human rights institutions can play in promoting and protecting human rights, including the right to freedom of expression, and in addressing human rights violations against journalists through monitoring, educating and awareness-raising activities, as well as through the examination of complaints, and recognizing further the contribution that national mechanisms for reporting and follow-up can play in the prevention of human rights violations against journalists,

Emphasizing the role of international cooperation in support of national efforts to prevent attacks and violence against journalists and in raising the capacities of States in the field of human rights, including in preventing attacks and violence against journalists, including through the provision of technical assistance, upon the request of and in accordance with the priorities set by the States concerned,

Emphasizing also the particular risks with regard to the safety of journalists in the digital age, including the particular vulnerability of journalists to becoming targets of unlawful or arbitrary surveillance and/or interception of communications, hacking, including government-sponsored hacking, and denial of service attacks to force the shutdown of particular media websites or services, in violation of their rights to privacy and to freedom of expression,

Bearing in mind that impunity for attacks and violence against journalists constitutes one of the greatest challenges to the safety of journalists, and that ensuring accountability for crimes committed against journalists is a key element in preventing future attacks,

Stressing the need for greater emphasis on prevention measures and the creation of enabling legal frameworks for freedom of expression to ensure a safe and enabling environment for journalists and media workers,

1. *Condemns unequivocally* all attacks and violence against journalists and media workers, such as torture, killings, enforced disappearances, arbitrary arrest and arbitrary detention, expulsion, intimidation, threats and harassment, online and offline, including through attacks on or the forced closure of their offices and media outlets in both conflict and non-conflict situations;

2. *Also condemns unequivocally* the specific attacks on women journalists and media workers in relation to their work, such as gender-based discrimination, including sexual and gender-based violence, threats, intimidation and harassment, online and offline;

3. *Strongly condemns* the prevailing impunity for attacks and violence against journalists, and expresses grave concern that the vast majority of these crimes go unpunished, which in turn contributes to the recurrence of these crimes, and calls upon States to develop and implement strategies for combating impunity for attacks and violence

against journalists, including by using, where appropriate, good practices such as those identified during the panel discussion held by the Human Rights Council on 11 June 2014 and/or compiled in the report of the Office of the United Nations High Commissioner for Human Rights thereon,[2] inter alia (a) the creation of special investigative units or independent commissions, (b) the appointment of a specialized prosecutor, and (c) the adoption of specific protocols and methods of investigation and prosecution;

4. *Urges* States to ensure accountability through the conduct of impartial, prompt, thorough, independent and effective investigations into all alleged violence, threats and attacks against journalists and media workers falling within their jurisdiction, to bring perpetrators, including those who command, conspire to commit, aid and abet or cover up such crimes to justice, and to ensure that victims and their families have access to appropriate remedies;

5. *Urges* the immediate and unconditional release of journalists and media workers who have been arbitrarily arrested or arbitrarily detained, taken hostage or who have become victims of enforced disappearance;

6. *Condemns unequivocally* measures in violation of international human rights law aiming to or that intentionally prevent or disrupt access to or dissemination of information online and offline, which undermine the work of journalists in informing the public, including measures to unlawfully or arbitrarily block or take down media websites, such as denial of service attacks, and calls upon all States to cease and refrain from these measures, which cause irreparable harm to efforts at building inclusive and peaceful knowledge societies and democracies;

7. *Expresses concern* about the spread of disinformation and propaganda, including on the Internet, which can be designed and implemented so as to mislead, to violate human rights, including the right to privacy and to freedom of expression and to incite violence, hatred, discrimination or hostility, and emphasizes the important contribution by journalists in countering this trend;

8. *Urges* political leaders, public officials and/or authorities to refrain from denigrating, intimidating or threatening the media, including individual journalists, and thereby undermining trust in the credibility of journalists as well as respect for the importance of independent journalism;

9. *Urges* States to do their utmost to prevent violence, intimidation, threats and attacks against journalists and media workers, including by:

(a) Increasing and accelerating efforts to create and maintain, in law and in practice, a safe and enabling environment for journalists to perform their work independently and without undue interference;

(b) Giving full support to and raising public awareness of the importance of an independent, plural and diverse media, online as well as offline;

(c) Publicly, unequivocally and systematically condemning violence, intimidation, threats and attacks against journalists and media workers;

(d) Establishing or enhancing information-gathering and monitoring mechanisms, such as databases, to permit the collecting, analysis and reporting of concrete quantitative and qualitative disaggregated data on threats, attacks or violence against journalists;

(e) Establishing an early warning and rapid response mechanism to give journalists and media workers, when threatened, immediate access to authorities competent and adequately resourced to provide effective protective measures;

(f) Supporting capacity-building, training and awareness-raising in the judiciary and among law enforcement officers and military and security personnel, as well as among media organizations, journalists and civil society, regarding States' international human

[2] A/HRC/27/35.

rights and international humanitarian law obligations and commitments relating to the safety of journalists;

(g) Putting in place safe gender-sensitive preventive measures and investigative procedures, in order to encourage women journalists to report offline and online attacks against them and provide adequate support, including psychosocial support, to victims and survivors;

(h) Ensuring better internal coordination and sharing of information, in particular within and between relevant ministries, law enforcement and the judiciary at the local and national levels;

(i) Signing and ratifying the international and regional human rights instruments relevant to the safety of journalists;

(j) Implementing more effectively the applicable legal framework for the protection of journalists and media workers, relevant resolutions adopted by United Nations bodies and regional intergovernmental organizations, as well as the recommendations made by the treaty bodies, the special procedures and in the context of the universal periodic review relating to the safety of journalists;

(k) Integrating the safety of journalists and media freedom into national development frameworks under the 2030 Agenda for Sustainable Development;

10. *Also urges* States to bring their laws, policies and practices fully into compliance with their obligations and commitments under international human rights law, and to review and where necessary repeal or amend them so that they do not limit the ability of journalists and media workers to perform their work independently and without undue interference;

11. *Calls upon* States to ensure that measures to combat terrorism and preserve national security or public order are in compliance with their obligations under international law and do not arbitrarily or unduly hinder the work and safety of journalists, including through arbitrary arrest or detention, or the threat thereof;

12. *Also calls upon* States to ensure that defamation and libel laws are not misused, in particular through excessive criminal sanctions, to illegitimately or arbitrarily censor journalists and interfere with their mission of informing the public, and where necessary to revise and repeal such laws, in compliance with States' obligations under international human rights law;

13. *Further calls upon* States to protect in law and in practice the confidentiality of journalists' sources, including whistle-blowers, in acknowledgement of the essential role of journalists and those who provide them with information in fostering government accountability and an inclusive and peaceful society, subject only to limited and clearly defined exceptions provided in national legal frameworks, including judicial authorization, in compliance with States' obligations under international human rights law;

14. *Emphasizes* that, in the digital age, encryption and anonymity tools have become vital for many journalists to exercise freely their work and their enjoyment of human rights, in particular their rights to freedom of expression and to privacy, including to secure their communications and to protect the confidentiality of their sources, and in this regard calls upon States to comply with their obligations under international human rights law and not to interfere with the use of such technologies, and to refrain from employing unlawful or arbitrary surveillance techniques, including through hacking;

15. *Calls upon* States to tackle gender-based discrimination, including sexual and gender-based violence, threats, intimidation, harassment and incitement to hatred against women journalists, online and offline, as part of broader efforts to promote and protect the human rights of women, eliminate gender inequality and tackle gender-based stereotypes in society;

16. *Encourages* States and all other relevant stakeholders to take the opportunity of the proclamation of 2 November as the International Day to End Impunity for Crimes

against Journalists to raise awareness regarding the issue of the safety of journalists and to launch concrete initiatives in this regard;

17. *Emphasizes* the important role that media organizations can play in providing adequate safety, risk awareness, digital security and self-protection training and guidance to journalists and media workers, in particular for journalists on dangerous assignments, together with protective equipment and insurances, where necessary;

18. *Recognizes* the important contribution of the promotion and protection of the safety of journalists in the realization of target 16.10 of the Sustainable Development Goals, and calls upon States to strengthen national data collection, analysis and reporting on the number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention, torture and other harmful acts against journalists and associated media personnel, in accordance with Sustainable Development Goal indicator 16.10.1, and to do their utmost to make these data available to the relevant entities, in particular the Office of the High Commissioner and the United Nations Educational, Scientific and Cultural Organization;

19. *Stresses* the need to ensure better cooperation and coordination at the international level, including through technical assistance and capacity-building, with regard to ensuring the safety of journalists, and encourages national, subregional, regional and international human rights mechanisms and bodies, including the relevant special procedures of the Human Rights Council, treaty bodies and national human rights institutions, in the framework of their mandates, to continue to address the relevant aspects of the safety of journalists in their work;

20. *Invites* United Nations agencies, funds and programmes, other international and regional organizations, Member States and all relevant stakeholders, when applicable and in the scope of their mandates, to cooperate further in promoting awareness of and implementing the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, and to this end calls upon States to cooperate with relevant United Nations entities, in particular the United Nations Educational, Scientific and Cultural Organization, relevant special procedures of the Human Rights Council and international and regional human rights mechanisms;

21. *Invites* States to share information on a voluntary basis on the status of investigations into attacks and violence against journalists, including in response to requests by the United Nations Educational, Scientific and Cultural Organization through the mechanism operated by its International Programme for the Development of Communication;

22. *Encourages* States to continue to address the issue of the safety of journalists through the process of the universal periodic review;

23. *Decides* to continue its consideration of the safety of journalists in accordance with its programme of work.

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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Algeria,* Australia, Bahrain,* Bolivia (Plurinational State of),* Bulgaria,* Canada,* Chile, Croatia, Denmark,* Ecuador, Egypt, France,* Greece,* Haiti, Honduras,* Hungary, Ireland,* Italy,* Malta,* Paraguay,* Peru, Poland,* Portugal,* Republic of Korea, Republic of Moldova,* Romania,* Saudi Arabia, Spain, Thailand,* Tunisia, United Arab Emirates: draft resolution

39/... Local government and human rights

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Universal Declaration of Human Rights and relevant international human rights instruments, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling also Human Rights Council resolutions 24/2 of 26 September 2013, 27/4 of 25 September 2014 and 33/8 of 29 September 2016 on the role of local government in the promotion and protection of human rights,

Recalling further General Assembly resolution 70/1 of 25 September 2015 on the 2030 Agenda for Sustainable Development, in which the Assembly adopted a comprehensive, far-reaching and people-centred set of universal and transformative Sustainable Development Goals and targets, and its commitments to working tirelessly for full implementation of the Agenda by 2030 at all levels,

Underscoring the significant contribution that local government can make to the implementation of the Sustainable Development Goals and their targets,

Bearing in mind that the Sustainable Development Goals are integrated and indivisible, balance the three dimensions of sustainable development — economic, social and environmental — and are aimed at realizing the human rights of all and at achieving gender equality and the empowerment of all women and girls,

Bearing in mind also that human rights and fundamental freedoms are the birthright of all human beings, and that their protection and promotion is the first responsibility of Governments,

* State not a member of the Human Rights Council.

Recognizing the role of local government in the promotion and protection of human rights, without any prejudice to the primary responsibility of the national Government in this regard,

Recognizing also that local government has different forms and functions in every State, in accordance with the constitutional and legal system of the State concerned,

Recognizing further that, given its proximity to people and being at the grass-roots level, one of the important functions of local government is to provide public services that address local needs and priorities related to the realization of human rights at the local level,

Underlining that the promotion of a human rights culture within public services, and public servants' knowledge, training and awareness, play a vital role in promoting respect for and the realization of human rights in society, and stressing the importance in this regard of human rights education and training for public servants at the local government level,

Underlining also that the expertise and knowledge of local government officials is an important asset in the provision of public services and the promotion and protection of human rights and fundamental freedoms at the local government level, and in the implementation of the pledge in the 2030 Agenda for Sustainable Development to leave no one behind,

Recognizing that, despite improvements in several countries, in some instances local stakeholders can face challenges in participating in local government programmes,

Noting relevant international and regional initiatives to promote human rights at the local level, and the role of local governments in the implementation of such initiatives,

Reaffirming the crucial role that the national Government can play in promoting a positive contribution by local government to the implementation of the 2030 Agenda with regard to the promotion and protection of human rights,

1. *Takes note with appreciation* of the summary report on the intersessional panel on the role of local government in the promotion and protection of human rights;[1]

2. *Encourages* the interaction and exchange of knowledge between local government and local stakeholders, including, inter alia, local civil society, in the formulation and implementation of local government programmes, with the aim of achieving the Sustainable Development Goals through the promotion of a human rights culture within public services;

3. *Also encourages* local governments to ensure the participation of local stakeholders in local government activities and in public affairs, in efforts to promote and protect human rights at the local level;

4. *Requests* the United Nations High Commissioner for Human Rights to prepare a report, in consultation with all States and relevant intergovernmental organizations, United Nations agencies, funds and programmes, relevant special procedures of the Human Rights Council, the Advisory Committee, treaty bodies, national human rights institutions, civil society, including non-governmental organizations, and local governments, on effective methods to foster cooperation between local government and local stakeholders for the effective promotion and protection of human rights at their level through local government programmes, including raising awareness of the Sustainable Development Goals, and to indicate the major challenges and best practices in this regard, and to submit the report to the Council prior to its forty-second session;

5. *Decides* to remain seized of the matter.

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[1] A/HRC/38/22.

United Nations A/HRC/39/L.9

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Human Rights Council
Thirty-ninth session
10–28 September 2018
Agenda item 10
Technical assistance and capacity-building

Belgium, Croatia, France,* Spain, Togo†: draft resolution

39/... Technical assistance and capacity-building in the field of human rights in the Central African Republic

The Human Rights Council,

Guided by the principles and objectives of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,

Recalling the African Charter on Human and Peoples' Rights and other relevant international and African instruments on human rights,

Recalling also General Assembly resolution 60/251 of 15 March 2006 and Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007, 23/18 of 13 June 2013, 24/34 of 27 September 2013, S-20/1 of 20 January 2014, 27/28 of 26 September 2014, 30/19 of 2 October 2015, 33/27 of 30 September 2016 and 36/25 of 29 September 2017,

Recalling further Security Council resolutions 2088 (2013) of 24 January 2013, 2121 (2013) of 10 October 2013, 2127 (2013) of 5 December 2013, 2134 (2014) of 28 January 2014, 2149 (2014) of 10 April 2014, 2217 (2015) of 28 April 2015, 2281 (2016) of 26 April 2016, 2301 (2016) of 26 July 2016, 2339 (2017) of 27 January 2017, 2387 (2017) of 15 November 2017 and 2399 (2018) of 30 January 2018,

Reaffirming that all States have the primary responsibility to promote and protect the human rights and fundamental freedoms enshrined in the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other international and African instruments on human rights to which they are parties,

Recalling that the authorities of the Central African Republic have the primary responsibility to protect all populations in the country from genocide, war crimes, ethnic cleansing and crimes against humanity,

Welcoming the holding of popular consultations and the Bangui Forum on National Reconciliation, which was followed by the adoption of the Republican Pact for Peace, National Reconciliation and Reconstruction and the signing of an agreement on disarmament, demobilization and reintegration by the representatives of the main actors in

* Not a member of the Human Rights Council.

† On behalf of the States Members of the United Nations that are members of the Group of African States.

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the conflict in the Central African Republic, and emphasizing the need for effective implementation of the recommendations and measures contained therein,

Welcoming also the peaceful holding of a constitutional referendum on 13 December 2015, the holding of legislative and presidential elections in December 2015 and February and March 2016 and the investiture of President Faustin-Archange Touadéra on 30 March 2016,

Welcoming further the adoption of the African Initiative for Peace and Reconciliation in the Central African Republic and its road map on 17 July 2017 in Libreville, and the appointment of a panel of facilitators to implement it, and stressing the need for an inclusive dialogue, in keeping with the recommendations of the Bangui Forum on National Reconciliation,

Reaffirming its commitment to the sovereignty, independence, unity and territorial integrity of the Central African Republic,

Deeply concerned at the worsening security situation in the Central African Republic as a result of the advance of armed groups across most of the territory, and condemning in particular the acts of violence that continue to be committed by armed groups, in Bangui and elsewhere in the country, against civilians, United Nations peacekeepers and humanitarian actors, as well as violations of international humanitarian law and human rights violations, including those committed against children and sexual and gender-based violence in times of conflict, which have led to an unacceptable number of deaths, injuries, displaced persons and refugees,

Deeply concerned also at the increasing use of messages of hatred and incitement to violence that would aggravate discrimination and social stigmatization, while welcoming the adoption in June 2018 of the National Plan for the Prevention of Incitement to Discrimination, Hatred and Violence and advocating the full implementation of the Plan,

Deeply concerned further at the surge in attacks on humanitarian personnel and humanitarian facilities in a context which has not been improved by the increased number of displaced persons and the continuing high numbers of refugees, and at the fact that half of the country's population, or some 2.5 million Central Africans, continues to need humanitarian assistance to survive,

Noting the implementation of the humanitarian response plan for 2017–2019 and concerned about the growing humanitarian needs of the Central African Republic, in particular those of persons with disabilities and the needs of victims for psychotherapeutic support,

Recalling the need for the Government of the Central African Republic, the international community and humanitarian actors to support the voluntary return of displaced persons and refugees and to ensure that their return is sustainable,

Noting the mobilization of the international community to provide humanitarian assistance to the population of the Central African Republic affected by the crisis, such as the donor conference held in Addis Ababa on 1 February 2014, the Brussels conference held on 26 May 2015 and several high-level meetings held on humanitarian action in the Central African Republic, such as the African Union Solidarity Conference for the Central African Republic, held in Addis Ababa in February 2017,

Welcoming the outcome of the international support conference held in Brussels in November 2016 and the pledges announced during that conference, and encouraging Member States to swiftly disburse those pledges,

Deeply concerned at the violations and abuses of human rights and of international humanitarian law, including those involving summary executions, extrajudicial killings, arbitrary arrests and detention, enforced disappearance, the recruitment and use of children, rape and other forms of sexual violence, torture, looting, the unlawful destruction of property and other serious violations and abuses of international human rights law and international humanitarian law,

Emphasizing that those who engage in or provide support for acts that undermine the peace, stability or security of the Central African Republic, threaten or impede the political stabilization and reconciliation process, target civilians and attack peacekeepers and incite others to violence, particularly on ethnic or religious grounds, must be held responsible for their acts,

Welcoming the efforts of the African-led International Support Mission in the Central African Republic, the African Union, the Operation Sangaris mission conducted by France, the European Union military operation in the Central African Republic, the European Union Military Advisory Mission in the Central African Republic, and the non-operational and operational military training missions for the Central African armed forces conducted by the European Union and the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic,

Recalling that the international forces present in the Central African Republic must act, in carrying out their duties, in full respect for the applicable provisions of international law, particularly international humanitarian law, international human rights law and international refugee law, expressing its concern at the allegations of sexual abuse and other human rights violations that may have been committed by personnel of the international forces in the Central African Republic, recalling that an in-depth investigation should be launched into the allegations and that those responsible for such acts must be brought to justice, and welcoming the commitment by the Secretary-General to strictly enforce the zero-tolerance policy of the United Nations on sexual exploitation and abuse, and the signing on 3 September 2018 of the protocol on information-sharing and reporting of sexual exploitation and abuse,

Stressing the urgent and imperative need to end impunity in the Central African Republic, to bring to justice perpetrators of human rights violations and abuses and violations of international humanitarian law and to reject any general amnesty for the perpetrators of such violations and abuses, and the need to bolster national mechanisms to ensure accountability of perpetrators,

Stressing also the primary responsibility of national authorities to create the conditions necessary to carry out investigations, to prosecute and to render judgments efficiently and independently,

Welcoming the commitment of the authorities of the Central African Republic to restore the rule of law, to end impunity and to bring to justice the perpetrators of crimes under the Rome Statute of the International Criminal Court, to which the Central African Republic is a party, and noting the decisions of the Prosecutor of the Court, made on 7 February 2014, to conduct a preliminary examination of the situation in the Central African Republic and, on 24 September 2014, to launch an investigation, following the request made by the transitional authorities,

Welcoming also the steps taken by the Government to operationalize the Special Criminal Court, such as the adoption of the rules of evidence and procedure and the provision of temporary premises for staff of the Court, and encouraging the international community to continue to support the Special Criminal Court in the long term,

Recalling that the international commission of inquiry to investigate allegations of violations of international humanitarian law and international human rights law and human rights abuses in the Central African Republic concluded that the main parties to the conflict had committed, since January 2013, violations and abuses that may constitute war crimes and crimes against humanity,

Stressing the importance of pursuing investigations into allegations of violations of international humanitarian law and violations and abuses of international human rights law to complement the work of the international commission of inquiry and the report on the Mapping exercise documenting serious violations of international human rights law and international humanitarian law committed in the territory of the Central African Republic between January 2003 and December 2015 prepared by the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and the Office of the United Nations High Commissioner for Human Rights,

1. *Strongly condemns* all abuses and violations of human rights and violations of international humanitarian law, including killings, acts of torture and inhuman and degrading treatment, sexual violence, abductions, arbitrary arrests and deprivation of liberty, extortion and looting, the recruitment and use of children, the occupation of schools and attacks on them, the injured and the sick, medical personnel, health centres and medical vehicles, as well as the denial of humanitarian assistance, and stresses that those responsible for such violations and abuses must be held accountable for their actions and brought to justice;

2. *Also strongly condemns* the targeted attacks launched by armed groups against civilians, against humanitarian workers and supplies and against United Nations staff;

3. *Reiterates* its call for an immediate end to all abuses and violations of human rights and violations of international humanitarian law committed by all parties, for strict adherence to all human rights and all fundamental freedoms and for the re-establishment of the rule of law in the country;

4. *Expresses deep concern* about the humanitarian situation, stresses that insecurity and the lack of funding are hampering the delivery of humanitarian assistance, and calls upon the international community to offer greater support for humanitarian efforts in the country;

5. *Calls upon* the Government, political and religious leaders and civil society organizations to undertake coordinated public action to prevent incitement to violence, including on ethnic and religious grounds, and recalls that individuals or entities who incite violence could be sanctioned by the Security Council;

6. *Takes note with appreciation* of the report of the Independent Expert on the situation of human rights in the Central African Republic and of the recommendations contained therein;[1]

7. *Urges* all parties in the Central African Republic to protect all civilians, in particular women and children, against sexual and gender-based violence;

8. *Calls upon* the authorities to support the National Observatory for Gender Parity;

9. *Encourages* the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic to resolutely implement a proactive and robust approach to the protection of civilians, as enshrined in its mandate, and also encourages it to lend the necessary assistance to the authorities of the Central African Republic so that the Special Criminal Court can begin its work without delay;

10. *Encourages* the United Nations and the countries contributing troops to the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and international forces acting under the mandate of the Security Council to take appropriate measures in order to ensure full respect for the zero-tolerance policy of the United Nations on sexual exploitation and abuse, and calls upon troop-contributing countries and international forces under the mandate of the Security Council to take appropriate measures to prevent any and all acts of sexual exploitation and abuse and to prevent impunity among their personnel in order to ensure justice for victims;

11. *Calls upon* the authorities of the Central African Republic, with the support of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, to engage resolutely in the disarmament, demobilization, reintegration and repatriation of foreign fighters, in line with a comprehensive strategy for security sector reform to quickly operationalize the cooperation structures they have put in place and to make proposals for disarmament, demobilization, reintegration and repatriation, and requests Member States and international organizations to provide the funding necessary

[1] A/HRC/39/70.

for the disarmament, demobilization, reintegration and repatriation process, which is an essential contribution to the security of the population and the stabilization of the country;

12. *Deplores* the increasing recruitment and use of children by armed groups as combatants, human shields, domestic workers or sex slaves, as well as the increasing number of child abductions, urges armed groups to release children from their ranks and to put an end to and prevent future recruitment and use of children, and, in this regard, calls on them to honour the commitments assumed by several of them on 5 May 2015;

13. *Welcomes* the ratification by the Central African Republic in 2017 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, encourages the continuing efforts of the Government to protect children through the adoption and effective implementation of legislation prohibiting the recruitment and use of children in armed conflict, and encourages the Government to consider ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure;

14. *Urges* all parties to protect and to regard as victims those children who have been released or otherwise separated from the armed forces and armed groups, and emphasizes the need to protect, release and reintegrate all children associated with the armed forces and armed groups and to implement rehabilitation and reintegration programmes that take into account the specific needs of girls;

15. *Calls upon* the authorities of the Central African Republic to ensure respect for the human rights and fundamental freedoms of the entire population and to take all necessary steps to end the impunity of perpetrators of acts of violence by strengthening the judicial system and mechanisms intended to ensure accountability;

16. *Notes* the decision of the authorities of the Central African Republic in June 2014 to request the Prosecutor of the International Criminal Court to open an investigation into alleged crimes committed in the Central African Republic that may fall under the Court's jurisdiction, and welcomes in that regard the opening in September 2014 of an investigation by the Court essentially into war crimes and crimes against humanity committed since 1 August 2012;

17. *Welcomes* the efforts by the authorities of the Central African Republic to establish within the national judicial system the Special Criminal Court with competence in respect of serious violations of human rights and violations of international humanitarian law, and encourages the Government to take all the measures necessary to ensure the effective implementation and operational capability of the Court and the opening of proceedings as soon as possible, with support from the international community, and to cooperate with the Special Prosecutor of the Court so that those responsible for international crimes, regardless of their status or their affiliation, are identified, arrested and brought to justice without delay;

18. *Takes note* of the efforts made by the authorities of the Central African Republic and underscores the urgent need to effectively redeploy judges throughout the country, to revitalize the judicial services, to implement the national strategy for the protection of victims and witnesses involved in judicial proceedings, and to establish appropriate reparation programmes to provide victims of violations and their families with material and symbolic reparation, at both the individual and collective level;

19. *Welcomes* the efforts by the authorities of the Central African Republic to hold criminal hearings in the Assize Court and requests them to continue strengthening the judiciary and combating impunity in order to contribute to stabilization and reconciliation, and stresses the need to restore the administration of justice and strengthen the criminal justice system and the penitentiary system such that judicial authorities are effectively present throughout the country, while ensuring that everyone has access to fair and impartial justice;

20. *Takes note* of the efforts by the authorities of the Central African Republic to re-establish the effective authority of the State over the entire country, by pursuing the fight against corruption and redeploying the State administration, in particular the judiciary, in the provinces with a view to ensuring stable, responsible, inclusive and transparent

governance, and requests the authorities to support those efforts by ensuring that the redeployed authorities have sufficient resources;

21. *Calls upon* the authorities of the Central African Republic to implement the reform of the security sector in order to establish multi-ethnic, professional, representative and well-equipped national defence and internal security forces, and stresses the need for these forces to respect the principles of accountability and the rule of law so as to win and cultivate the trust of local communities, including the preliminary verification procedures relating to human rights conducted by the defence and security forces;

22. *Welcomes* the good cooperation between the authorities of the Central African Republic and international partners, including the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and the European Union military training mission in the Central African Republic, with a view to the gradual and sustainable redeployment of the Central African armed forces and the internal security forces trained by the European Union military training mission in the Central African Republic and other international partners, in the wider context of extending the authority of the State and consolidating security, and invites the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic to continue to apply a policy of due diligence in the field of human rights so as to ensure oversight and accountability in relation to the conduct of the national security forces;

23. *Requests* States Members of the United Nations and international and regional organizations to provide urgent support to the authorities of the Central African Republic in rolling out the above-mentioned reforms and re-establishing the authority of the State throughout the territory, while expanding the role of the Economic Community of Central African States in peace efforts and cross-border issues, including the seasonal migration of animals;

24. *Calls upon* the authorities of the Central African Republic to implement the recommendations made at the Bangui Forum on National Reconciliation, welcomes the progress made towards establishing a truth, justice, reparation and reconciliation commission, and calls upon the authorities to continue on this path;

25. *Urges* the authorities of the Central African Republic to define in an inclusive manner, with the support of the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, a comprehensive road map for transitional justice, and encourages the authorities to identify pilot areas to develop local strategies for transitional justice;

26. *Stresses* the need to involve all sectors of Central African civil society and to promote the full and effective participation of women and young people in the dialogue between the authorities of the Central African Republic and the armed groups within the framework of the African Initiative for Peace and Reconciliation in the Central African Republic and its road map, which is the main framework for a political solution in the Central African Republic, as well as the need to coordinate the peace process with transitional justice in order to facilitate national reconciliation;

27. *Remains deeply concerned* by the extent of conflict-related sexual violence, in particular against women and girls recruited by armed groups, and encourages the national authorities and the Special Criminal Court to protect victims and boost their empowerment, and to bring all alleged perpetrators of such crimes to justice;

28. *Remains concerned* by the surge in the number of children recruited by armed groups, calls for the establishment and implementation of social reintegration and psychological support programmes for minors who are victims of the six most serious violations suffered by children in armed conflict, encourages greater advocacy to improve the protection of children in armed conflict, including by taking account of the specific needs of girls, and urges the authorities and armed groups to end and prevent such serious violations and abuses of their rights;

29. *Remains deeply concerned* by the conditions of displaced persons and refugees, and encourages the international community to help the national authorities and

host countries to ensure appropriate protection and support for victims of violence, in particular women, children and persons with disabilities;

30. *Calls upon* the national authorities to continue their efforts to protect and promote the right to freedom of movement for all, including internally displaced persons, without distinction, and to respect their right to choose their place of residence, to return home or to seek protection elsewhere;

31. *Invites* all stakeholders and the international community to remain mobilized to respond to the urgent needs and priorities identified by the Central African Republic, in particular financial and technical support and funding for the treatment of people traumatized by the crisis;

32. *Requests* all parties to facilitate rapid and unhindered access for humanitarian aid and humanitarian workers to the entire national territory by strengthening security on the roads;

33. *Encourages* States Members of the United Nations, within the framework of international cooperation, the relevant United Nations bodies, international financial institutions and other international organizations concerned and donors to provide the Central African Republic with technical assistance and support for capacity-building with a view to promoting respect for human rights and undertaking reform of the justice and security sectors;

34. *Encourages* the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic, in accordance with its mandate, to publish reports on the situation of human rights in the Central African Republic in order to enable the international community to monitor the situation;

35. *Decides* to renew, for one year, the mandate of the Independent Expert to assess, to monitor and to report on the situation of human rights in the Central African Republic with a view to making recommendations related to technical assistance and capacity-building in the field of human rights;

36. *Requests* all parties to cooperate fully with the Independent Expert in carrying out her mandate;

37. *Decides* to organize, at its fortieth session, a high-level interactive dialogue to assess the evolution of the human rights situation on the ground, placing special emphasis on the participation of civil society, especially women's organizations and representatives of victims, in the peace and reconciliation process, with the participation of the Independent Expert and representatives of the Government of the Central African Republic, the United Nations, the African Union and civil society;

38. *Requests* the independent expert to work closely with the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic and United Nations bodies, particularly in the area of transitional justice;

39. *Also requests* the Independent Expert to work closely with all United Nations bodies, the African Union and the Economic Community of Central African States, as well as with other relevant international organizations, Central African civil society and all relevant human rights mechanisms;

40. *Further requests* the Independent Expert to work closely with the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Special Representative of the Secretary-General for Children and Armed Conflict;

41. *Requests* the Independent Expert to provide an oral update on her report on technical assistance and capacity-building in the field of human rights in the Central African Republic to the Human Rights Council at its forty-first session and to submit a written report to the Council at its forty-second session;

42. *Requests* the United Nations High Commissioner for Human Rights to continue to provide the Independent Expert with all the financial and human resources necessary to enable her to carry out fully her mandate;

43. *Decides* to remain seized of the matter.

United Nations A/HRC/39/L.10

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Human Rights Council
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10–28 September 2018
Agenda item 10
Technical assistance and capacity-building

Togo:* draft resolution

39/... Technical assistance and capacity-building in the field of human rights in the Democratic Republic of the Congo

The Human Rights Council,

Reaffirming that all States have an obligation to promote and protect the human rights and fundamental freedoms enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, to discharge their obligations under the International Covenants on Human Rights and other relevant instruments to which they are parties,

Recalling General Assembly resolution 60/251 of 15 March 2006,

Recalling also Human Rights Council resolutions 5/1 of 18 June 2007, 7/20 of 27 March 2008 and S-8/1 of 1 December 2008,

Recalling further its resolutions 10/33 of 27 March 2009, 13/22 of 26 March 2010, 16/35 of 25 March 2011, 19/27 of 23 March 2012, 24/27 of 27 September 2013, 27/27 of 26 September 2014, 30/26 of 2 October 2015, 33/29 of 30 September 2016, 35/33 of 23 June 2017 and 36/30 of 29 September 2017, in which the Human Rights Council called upon the international community to support the national efforts of the Democratic Republic of the Congo and its institutions with a view to improving the situation of human rights and to respond to its requests for technical assistance,

Taking note of the report of the United Nations High Commissioner for Human Rights on the human rights situation and the activities of the United Nations Joint Human Rights Office in the Democratic Republic of the Congo,[1] submitted to the Human Rights Council in accordance with its resolution 36/30,

Taking note also of the joint communiqué issued by members of the United Nations Security Council and the African Union Peace and Security Council of 19 July 2018, in which they reiterated that effective, swift and sincere implementation of the agreement of 31 December 2016, including confidence-building measures and respect for fundamental rights and the electoral timeline, were essential for a peaceful and credible electoral

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] A/HRC/39/42.

process, a democratic transition of power, and the peace and stability of the Democratic Republic of the Congo,

Noting the progress made by the armed forces of the Democratic Republic of the Congo in preventing and ending the recruitment and use of children, which has resulted in its removal from the list for this violation contained in the annual report of the Special Representative of the Secretary-General for Children and Armed Conflict,[2]

Noting with concern the report published on 19 March 2018 by the Office of the United Nations High Commissioner for Human Rights and the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, which documented killings and other serious human rights violations owing to the excessive use of force against protest movements between January 2017 and January 2018,

Deeply concerned about the violations of civil and political rights, particularly the freedoms of expression and peaceful assembly, committed by State actors in the context of important electoral events,

Welcoming the report of the Joint Commission of Inquiry established by the authorities of the Democratic Republic of the Congo to investigate allegations of violations and abuses committed on 31 December 2017 and 21 January 2018,

Deeply concerned about the humanitarian consequences of the violence affecting civilian populations, particularly children and women, which have led to a significant increase in the number of internally displaced persons and persons in need for humanitarian assistance,

Recognizing the important role of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and the United Nations Joint Human Rights Office in the Democratic Republic of the Congo in documenting human rights violations and abuses and in improving the situation of human rights in the country,

Noting the efforts made in the region, in particular by the Southern African Development Community, the African Union, the International Conference on the Great Lakes Region and the Economic Community of Central African States aimed at contributing to peace and stability in the Democratic Republic of the Congo,

Noting also, on the one hand, the progress made in the fight against impunity for perpetrators of sexual violence and in victims' access to justice for the reparation of harm suffered, including through the establishment, by the Office of the Personal Representative of the Head of State tasked with fighting against sexual violence and the recruitment of children, of a helpline for victims of sexual violence, which contributes to the fight against impunity, and, on the other hand, the adoption by the Government of a plan of action for the national police to fight against sexual violence and to ensure the protection of children,

Noting further the efforts of the Democratic Republic of the Congo to implement its commitments under the Peace, Security and Cooperation Framework for the Democratic Republic of the Congo and the Region, signed in Addis Ababa on 24 February 2013,

Welcoming the progress made by the Democratic Republic of the Congo in advancing the electoral process with a view to holding the legislative and presidential elections in December 2018,

1. *Condemns* unequivocally all acts of violence, especially in conflict-affected areas of the country, and all perpetrators, and urges all stakeholders to reject any kind of violence, to exercise maximum restraint in their actions in order to avoid further inflaming the situation, and to settle their disputes peacefully;

2. *Notes with satisfaction* the efforts made by the Government of the Democratic Republic of the Congo to bring perpetrators to justice, and welcomes the convictions already pronounced;

[2] A/HRC/37/47.

3. *Notes the resumption*, since 27 August 2018, of the trial of the alleged killers of two United Nations experts and the persons accompanying them in March 2017;

4. *Emphasizes* the individual responsibility of all stakeholders to act in strict compliance with the rule of law and human rights, and urges all stakeholders to reject any form of violence;

5. *Encourages* the Government of the Democratic Republic of the Congo to respect the rule of law and to continue its efforts to respect, protect and ensure the enjoyment of human rights and fundamental freedoms by all, in accordance with the international obligations of States;

6. *Recalls* that the primary responsibility to protect all civilians within its territory lies with the Government of the Democratic Republic of the Congo, and urges it to exercise maximum restraint and use proportionate and lawful force in its efforts to restore order, in accordance with international law;

7. *Commends* the Democratic Republic of the Congo for the accreditation of its National Human Rights Commission with category A status, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);

8. *Notes with appreciation* the progressive operationalization of the National Human Rights Commission, the adoption of its five-year strategic plan and the release of its first annual report, and calls upon the Government to ensure that the Commission is independent, including with regard to its funding, so as to ensure full compliance with the Paris Principles;

9. *Reaffirms* its strong commitment to respect fully the principles of non-interference in the internal affairs of States, including strict respect for the sovereignty, independence, unity and territorial integrity of the Democratic Republic of the Congo;

10. *Encourages* the Government of the Democratic Republic of the Congo to intensify its efforts to put an end to violence on its territory, with the support of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, within its mandate, and to cooperate fully with the Group of Experts on the Democratic Republic of the Congo established pursuant to Security Council resolution 1533 (2004), including to allow complete and unhindered access to the country;

11. *Also encourages* the Government to continue actively its efforts, with the support of the international community, to end impunity for the perpetrators of these grave human rights violations and abuses, and violations of international humanitarian law, and to ensure that victims of such violations, abuses and related crimes receive adequate reparations;

12. *Commends with appreciation* the fulfilment of the commitment made by President Joseph Kabila to abide by the Constitution and laws of the Democratic Republic of the Congo regarding the holding of elections;

13. *Welcomes* the positive developments in the electoral process in the Democratic Republic of the Congo, and in this regard notes the significant progress made by the Independent National Electoral Commission, including the revision of the electoral register and its audit by the International Organization of la Francophonie, the opening of offices for filing and processing candidatures and subsequent registration of candidatures for the legislative and presidential elections, the publication, on 24 August 2018, of the provisional lists of candidates for the presidential and legislative elections and the publication of the final lists of candidates in these various elections;

14. *Urges* the Independent National Electoral Commission to carry through the steps that remain up to the actual holding of the elections;

15. *Welcomes* the efforts made by the United Nations, the International Organization of la Francophonie and the European Union to ensure the credibility and the stabilization of the electoral roll;

16. *Also welcomes* the establishment by the Government of the Democratic Republic of the Congo of an interministerial commission to monitor the implementation of the Convention on the Rights of Persons with Disabilities in the context of the implementation of its five-year (2016–2021) plan for the protection of the rights of persons with disabilities, adopted on 20 and 21 May 2016;

17. *Underlines* the centrality of the agreement of 31 December 2016 and the necessity of its full implementation, to pave the way for the timely holding of elections in the Democratic Republic of the Congo, and urges Congolese stakeholders to redouble their efforts to prepare for the timely holding of free, fair, peaceful and credible presidential and legislative elections, in accordance with the provisions of the agreement of 31 December 2016, and in parallel to take additional confidence-building measures, in accordance with the agreement, in order to create an environment conducive to the completion of the electoral process;

18. *Welcomes* the enactment, on 10 March 2017, of the law amending the Code of Military Justice for the implementation of the Rome Statute of the International Criminal Court, and notes the validation, in May 2017, of the justice reform plan, prepared in accordance with the recommendations made at the conference convened in 2015 on the development of justice sector reform;

19. *Stresses* the need to release all persons improperly detained, including human rights defenders, and to grant the United Nations Joint Human Rights Office access to the centres under the responsibility of the National Intelligence Agency;

20. *Requests* all stakeholders in the electoral process to refrain from all forms of violence and any discourse inciting racial, tribal or ethnic hatred;

21. *Encourages* the Government of the Democratic Republic of the Congo to ensure that all citizens, regardless of their political affiliation, can participate freely in public affairs and fully enjoy human rights and fundamental freedoms, in particular the freedoms of expression and peaceful assembly;

22. *Invites* the Government of the Democratic Republic of the Congo to improve and increase the participation of women in the political and administrative domains, and notes with appreciation the legislative measures already taken within the framework of the amendments to the Family Code and the law on the parity of men and women;

23. *Encourages* the Interministerial Commission to continue its monitoring of the implementation of the Convention on the Rights of Persons with Disabilities;

24. *Encourages* the Government of the Democratic Republic of the Congo to continue in its commitment to its cooperation with the Office of the United Nations High Commissioner for Human Rights, the United Nations Joint Human Rights Office, and the Human Rights Council and its special procedures;

25. *Also encourages* the Government to maintain and strengthen its efforts to pursue the reform of the security sector and of the judicial system, including by establishing the remaining superior courts of appeal, and to reform and strengthen its penitentiary system;

26. *Further encourages* the Government to take appropriate measures to ensure the smooth functioning of all implementing agencies of human rights, including the Human Rights Liaison Unit, the National Human Rights Commission, the Interministerial Committee on Human Rights, the National Commission for the Universal Periodic Review and the Unit for the Protection of Human Rights Defenders;

27. *Encourages* the Government to organize a forum on human rights, in particular on the impact of technical assistance by the international community to the Democratic Republic of the Congo;

28. *Requests* the United Nations High Commissioner for Human Rights to present to the Human Rights Council, in an enhanced interactive dialogue, an oral update on the situation of human rights in the Democratic Republic of the Congo at its forty-first session;

29. *Also requests* the High Commissioner to prepare a report on the situation of human rights in the Democratic Republic of the Congo before, during and after the elections of 23 December 2018, and to submit it to the Human Rights Council, within the framework of an enhanced interactive dialogue, at its fortieth session, and to prepare a comprehensive report on the situation of human rights in the Democratic Republic of the Congo, and to submit it to the Council, within the framework of an enhanced interactive dialogue, at its forty-second session;

30. *Decides* to remain seized of the situation until its forty-second session.

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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania,* Algeria,* Andorra,* Angola, Belgium, Bulgaria,* Chile, Croatia, Cyprus,* Czechia,* Denmark,* Eritrea,* Estonia,* Finland,* France,* Germany, Greece,* Haiti,* Honduras,* Iceland, Ireland,* Italy,* Latvia,* Lithuania,* Luxembourg,* Madagascar,* Maldives,* Malta,* Mexico, Monaco,* Montenegro,* Netherlands,* Niger,* Norway,* Paraguay,* Peru, Philippines, Poland,* Portugal,* Romania,* Serbia,* Slovakia, Slovenia, Spain, Sweden,* Switzerland, the former Yugoslav Republic of Macedonia,* Tunisia, Uruguay,* Yemen:* draft resolution

39/... The human rights to safe drinking water and sanitation

The Human Rights Council,

Guid:d by the purposes and principles of the Charter of the United Nations,

Recalling General Assembly resolution 64/292 of 28 July 2010, in which the Assembly recognized the human right to safe drinking water and sanitation as essential for the full enjoyment of the right to life and all other human rights,

Reaffirming all previous resolutions of the Human Rights Council and the General Assembly on the human rights to safe drinking water and sanitation, inter alia, Council resolution 33/10 of 29 September 2016 and Assembly resolution 72/178 of 19 December 2017,

Recalling the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities,

Recalling also the Vienna Declaration and Programme of Action, which reaffirms that all human rights are universal, indivisible, interdependent and interrelated, including the right to development,

Reaffirming General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", ensuring to leave no one behind,

* State not a member of the Human Rights Council.

Recalling that the 2030 Agenda for Sustainable Development covers the issue of the human rights to safe drinking water and sanitation and other water-related Sustainable Development Goals, including Goal 6 on ensuring the availability and sustainable management of water and sanitation for all, which comprises important targets relating to the human rights to safe drinking water and sanitation, as well as health and hygiene, and acknowledges the need for an integrated approach to Goal 6 that reflects the interlinkages between achieving universal and equitable access to safe drinking water, sanitation and hygiene, while also striving to improve the quality and safety of water, reduce the number of people suffering from water scarcity and ensure special attention to the needs and rights of women and girls,

Recalling also General Assembly resolution 71/222 of 21 December 2016, by which it proclaimed the period from 2018 to 2028 the International Decade for Action, "Water for Sustainable Development",

Recalling further the relevant commitments and initiatives promoting the human rights to safe drinking water and sanitation made at the 2014 high-level meeting of the Sanitation and Water for All partnership and in the Ngor Declaration on Sanitation and Hygiene, adopted at the fourth African Conference on Sanitation and Hygiene, in 2015, the Dhaka Declaration, adopted at the sixth South Asian Conference on Sanitation, in 2016, the Lima Declaration, adopted at the fourth Latin American and Caribbean Conference on Sanitation, in 2016, and the Dar es Salaam road map for achieving the Ngor commitments on water security and sanitation in Africa, adopted at the sixth Africa Water Week, in 2016, and noting the Budapest Water Summit 2016 and its recommendations, the call for action of the high-level symposium on the theme "Sustainable Development Goal 6 and targets: ensuring that no one is left behind in access to water and sanitation", held in Dushanbe in 2016, the seventh South Asian Conference on Sanitation, held in Islamabad in 2018, and the High-level International Conference on the International Decade for Action "Water for Sustainable Development", held in Dushanbe in 2018,

Welcoming the work of the World Health Organization and the United Nations Children's Fund in the 2017 update published by their Joint Monitoring Programme for Water Supply and Sanitation,

Welcoming also the fact that, according to a report by the Joint Monitoring Programme for Water Supply and Sanitation in 2015, an estimated 71 per cent of the global population uses a safely managed drinking water service system, while being deeply concerned, however, that 12 per cent of the global population still lacks even a basic drinking water system,

Deeply concerned that 844 million people lack a basic water service, 2.1 billion people lack access to safe drinking water that is available when needed and free from contamination in their homes, 4.5 billion people lack access to safely managed sanitation and 892 million people still practise open defecation,

Welcoming the fact that the Joint Monitoring Programme for Water Supply and Sanitation has established an extensive global database and has been instrumental in developing global norms to benchmark progress, while taking into consideration the fact that official figures do not always capture all the dimensions of the human rights to water and sanitation,

Deeply concerned that the lack of access to safe drinking water and sanitation and hygiene underlies severe human costs, such as poor health and high mortality rates, and major economic losses, and affirming that affordability, accessibility, availability and quality, as human rights criteria ensuring the rights to safe drinking water and sanitation, require, inter alia, that water, sanitation and hygiene facilities and services are within the safe physical reach of all sections of the population without discrimination of any kind and are accessible at a price that is affordable to all,

Expressing concern that climate change has contributed and continues to contribute to the increased frequency and intensity of both sudden-onset natural disasters and slow-onset events, and that these events have adverse effects on the full enjoyment of all human rights, including the human rights to safe drinking water and sanitation,

Deeply concerned that women and girls often face particular barriers in their enjoyment of the rights to safe drinking water and sanitation, which are exacerbated in humanitarian crises, and that they shoulder the main burden of collecting household water in many parts of the world, which constitutes a major impediment to the achievement of their economic empowerment, independence and social and economic development,

Deeply concerned also that widespread silence and stigma surrounding menstruation and menstrual hygiene mean that women and girls often lack basic information thereon, are excluded and stigmatized and are thus prevented from realizing their full potential,

Deeply concerned further that the lack of access to adequate water and sanitation services, including for menstrual hygiene management, especially in schools, workplaces, health centres, and public facilities and buildings, negatively affects gender equality and women's and girls' enjoyment of human rights, including the rights to education, health, safe and healthy working conditions, and to participate in public affairs,

Deeply concerned that women and girls are particularly at risk of and exposed to attacks, sexual and gender-based violence, harassment and other threats to their safety while collecting household water and when accessing sanitation facilities outside their homes, or practising open defecation,

Deeply alarmed that water, sanitation and hygiene-related diseases have a disproportionate impact on children and that, in humanitarian crises, including in times of conflict or natural disasters, children suffer the most from interruptions in water and sanitation services, and underscoring that progress on reducing child mortality, morbidity and stunting is linked to children's and women's access to safe drinking water and sanitation services,

Reaffirming the responsibility of States to ensure the respect, promotion and protection of all human rights, which are universal, indivisible, interdependent and interrelated and must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Recalling that the human rights to safe drinking water and sanitation are derived from the right to an adequate standard of living and are inextricably related to the right to the highest attainable standard of physical and mental health, and to the right to life and human dignity,

Reaffirming the importance of eliminating discrimination and inequalities in the enjoyment of the human rights to safe drinking water and sanitation on the grounds of race, gender, age, disability, ethnicity, culture, religion and national or social origin or on any other grounds, and with a view to eliminating discrimination and inequalities based on factors such as rural-urban disparities, substandard housing, income levels or other relevant considerations,

Affirming the importance of national programmes and policies in ensuring the progressive realization of the human rights to safe drinking water and sanitation,

Stressing the importance of monitoring and reporting on the implementation of the Sustainable Development Goals and targets, including Goal 6 on ensuring the availability and sustainable management of water and sanitation for all,

Affirming the importance of regional and international technical cooperation, where appropriate, as a means to promote the progressive realization of the human rights to safe drinking water and sanitation, without any prejudice to questions of international water law, including international watercourse law,

Recognizing the important role that civil society plays at the local, national, regional and international levels in facilitating the achievement of the purposes and principles of the United Nations, fundamental freedoms and human rights, including the human rights to safe drinking water and sanitation,

1. *Reaffirms* that the human right to safe drinking water entitles everyone, without discrimination, to have access to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use, and that the human right to sanitation

entitles everyone, without discrimination, to have physical and affordable access to sanitation, in all spheres of life, that is safe, hygienic, secure, socially and culturally acceptable and that provides privacy and ensures dignity, while reaffirming that both rights are components of the right to an adequate standard of living;

2. *Welcomes* the work of the Special Rapporteur on the human rights to safe drinking water and sanitation, and takes note with appreciation of his report on the theme of the human rights to water and sanitation of forcibly displaced persons;[1]

3. *Reaffirms* that States have the primary responsibility to ensure the full realization of all human rights and must take steps, nationally and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, to achieve progressively the full realization of the rights to safe drinking water and sanitation by all appropriate means, including in particular the adoption of legislative measures in the implementation of their human rights obligations;

4. *Stresses* the important role of international cooperation and technical assistance by States, specialized agencies of the United Nations system and international and development partners, and by donor agencies, in particular in the timely achievement of the relevant Sustainable Development Goals, and urges development partners to adopt a human rights-based approach when designing, implementing and monitoring development programmes in support of national initiatives and plans of action relating to the rights to safe drinking water and sanitation;

5. *Underlines* the importance of an effective remedy for violations of economic, social and cultural rights, including the human rights to safe drinking water and sanitation, and in this regard of judicial, quasi-judicial and other appropriate remedies, including procedures initiated by or on behalf of individuals or, as appropriate, groups of individuals, and of adequate procedures to avoid infringements of such rights with a view to ensuring justice for all for violations in the context of the realization of the rights to safe drinking water and sanitation as components of the right to an adequate standard of living, including taking the measures necessary to ensure that women and girls and persons at risk have equal access to effective remedies;

6. *Notes with concern* that, in spite of all efforts, gender inequalities still exist in the realization of the human rights to safe drinking water and sanitation;

7. *Calls upon* States:

(a) To implement the internationally agreed Sustainable Development Goals and targets, including Goal 6 on ensuring the availability and sustainable management of water and sanitation for all, in accordance with their obligations under international law;

(b) To ensure the progressive realization of the human rights to safe drinking water and sanitation for all in a non-discriminatory manner while eliminating inequalities in access, including for persons at risk and marginalized groups, on the grounds of race, gender, age, disability, ethnicity, culture, religion and national or social origin or on any other grounds;

(c) To monitor continuously and analyse regularly the status of the realization of the human rights to water and sanitation and to enhance efforts to improve the availability, accessibility, quality and use of water-related data at local, national and regional levels, and to develop disaggregated and gender-responsive indicators and monitoring mechanisms;

(d) To promote both women's leadership and their full, effective and equal participation in decision-making on water and sanitation management, ensure that a gender-based approach is adopted in relation to water and sanitation programmes, including measures to reduce the time spent by women and girls in collecting household water, in order to address the negative impact of inadequate water and sanitation services on the access of girls to education, to protect women and girls from being physically threatened or assaulted, including from sexual violence, while collecting household water and when

[1] A/HRC/39/55.

accessing sanitation facilities outside of their home or practising open defecation, to protect women's and girls' equal access to water and sanitation and to take positive measures to guarantee the availability and accessibility of these rights;

(e) To address the widespread stigma and shame surrounding menstruation and menstrual hygiene by ensuring access to factual information thereon , addressing the negative social norms around the issue and ensuring universal access to hygienic products and gender-sensitive facilities, including disposal options for menstrual products;

(f) To make efforts to mitigate the disproportionate impact of water, sanitation and hygiene-related diseases on children and reduce child mortality, morbidity and stunting by ensuring the progressive realization of the human rights to safe drinking water and sanitation;

(g) To consult and coordinate with local communities and other stakeholders, including civil society and the private sector, on adequate solutions to ensure sustainable access to safe drinking water and sanitation;

(h) To provide for effective accountability mechanisms to ensure that all water and sanitation service providers, including private sector providers, respect human rights and do not cause or contribute to human rights violations or abuses;

8. *Encourages* all Governments to continue to respond favourably to requests by the Special Rapporteur for visits and information, to follow up effectively on the recommendations of the mandate holder and to make available information on measures taken in this regard;

9. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide the Special Rapporteur with all the resources and assistance necessary for the effective fulfilment of the mandate;

10. *Decides* to continue its consideration of this matter under the same agenda item at its forty-second session.

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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Venezuela (Bolivarian Republic of):* draft resolution

39/... The right to development

The Human Rights Council,

Recalling the Charter of the United Nations and the core human rights instruments,

Reaffirming the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Reiterating the Vienna Declaration and Programme of Action, which reaffirms the right to development as a universal and inalienable right and an integral part of every human right,

Reaffirming Human Rights Council resolutions 4/4 of 30 March 2007 and 9/3 of 17 September 2008, and recalling all Council and General Assembly resolutions on the right to development, the most recent being Council resolution 36/9 of 28 September 2017 and Assembly resolution 72/167 of 19 December 2017,

Recalling all Commission on Human Rights resolutions on the right to development, including resolutions 1998/72 of 22 April 1998 and 2004/7 of 13 April 2004 in support of the implementation of the right to development,

Welcoming the seventeenth Summit of Heads of State or Government of Non-Aligned Countries, held on Margarita Island, Bolivarian Republic of Venezuela, on 17 and 18 September 2016, and recalling previous summits and conferences at which the States members of the Movement of Non-Aligned Countries stressed the need to operationalize the right to development as a priority, including through the elaboration of a legally binding instrument on the right to development by the relevant machinery, taking into account the recommendations of relevant initiatives,

Emphasizing the urgent need to make the right to development a reality for everyone,

Emphasizing also that all human rights and fundamental freedoms, including the right to development, can only be enjoyed in an inclusive and collaborative framework at

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

the international, regional and national levels, and in this regard underlining the importance of engaging the United Nations system, including United Nations specialized agencies, funds and programmes, within their respective mandates, relevant international organizations, including financial and trade organizations, and relevant stakeholders, including civil society organizations, development practitioners, human rights experts and the public at all levels, in discussions on the right to development,

Stressing that the responsibility for managing worldwide economic and social issues and threats to international peace and security must be shared among the nations of the world and should be exercised multilaterally, and that, in this regard, the central role must be played by the United Nations as the most universal and representative organization in the world,

Welcoming the adoption of the 2030 Agenda for Sustainable Development and its means of implementation, and emphasizing that the 2030 Agenda is informed by the Declaration on the Right to Development and that the right to development provides a vital enabling environment for the full realization of the Sustainable Development Goals,

Recognizing that achieving the internationally agreed development goals, including the unmet Millennium Development Goals, the Sustainable Development Goals and climate change-related goals, requires effective policy coherence and coordination,

Recognizing also that hunger and extreme poverty, in all its forms and dimensions, are the greatest global challenges and require the collective commitment of the international community for their eradication, and therefore calling upon the international community to contribute to the achievement of that goal, in accordance with the Sustainable Development Goals,

Recognizing further that inequality is a major obstacle to the realization of the right to development within and across countries,

Recognizing that eradicating poverty in all its forms and dimensions, including extreme poverty, is one of the critical elements in the promotion and realization of the right to development and is the greatest global challenge and an indispensable requirement for sustainable development, which requires a multifaceted and integrated approach, and reiterating the need to achieve sustainable development in its three dimensions, economic, social and environmental, in a balanced and integrated manner,

Expressing concern about the increasing number of cases of human rights violations and abuses by transnational corporations and other business enterprises, underlining the need to ensure that appropriate protection, justice and remedies are provided to the victims of human rights violations and abuses resulting from the activities of those entities, and underscoring the fact that they must contribute to the means of implementation for the realization of the right to development,

Emphasizing that all human rights and fundamental freedoms, including the right to development, are universal, indivisible, interdependent and interrelated,

Underlining that the successful implementation of the Sustainable Development Goals will require the strengthening of a new, more equitable and sustainable national and international order and the promotion and protection of all human rights and fundamental freedoms,

Noting the commitment declared by a number of United Nations specialized agencies, funds and programmes and other international organizations to make the right to development a reality for all, and in this regard urging all relevant bodies of the United Nations system and other international organizations to mainstream the right to development into their objectives, policies, programmes and operational activities, and into development and development-related processes, including the follow-up to the Fourth United Nations Conference on the Least Developed Countries,

Stressing the primary responsibility of States for the creation of national and international conditions favourable to the realization of the right to development,

Recognizing that Member States should cooperate with each other in ensuring development and eliminating lasting obstacles to development, that the international community should promote effective international cooperation, in particular global partnerships for development, for the realization of the right to development and the elimination of obstacles to development, and that lasting progress towards the implementation of the right to development requires effective development policies at the national level, equitable economic relations and a favourable economic environment at the international level,

Encouraging all Member States to engage constructively in the discussions for the full implementation of the Declaration on the Right to Development with a view to overcoming the existing political impasse within the Working Group on the Right to Development,

Reaffirming that the thirtieth anniversary of the Declaration on the Right to Development presented a unique opportunity for the international community to demonstrate and reiterate its unequivocal commitment to the right to development, recognizing the high profile it deserves, and redoubling its efforts to implement this right,

Stressing that, in General Assembly resolution 48/141 of 20 December 1993, the Assembly decided that the responsibility of the United Nations High Commissioner for Human Rights shall be, among others, to promote and protect the realization of the right to development and to enhance support from relevant bodies of the United Nations system for that purpose,

Recognizing the need for independent perspectives and expert advice to strengthen the work of the Working Group on the Right to Development and to support the efforts of Member States to realize fully the right to development, including in the context of the implementation of the Sustainable Development Goals,

Reaffirming Human Rights Council resolutions 5/1, on institution-building of the Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge the duties of the mandate in accordance with those resolutions and the annexes thereto,

1. *Takes note* of the consolidated report of the Secretary-General and the United Nations High Commissioner for Human Rights on the right to development;[1]

2. *Requests* the High Commissioner to continue to submit to the Human Rights Council an annual report on the activities of the Office of the United Nations High Commissioner for Human Rights, including on inter-agency coordination within the United Nations system that have direct relevance to the realization of the right to development, and to provide an analysis of its implementation, taking into account existing challenges and making recommendations on how to overcome them, in her next annual report;

3. *Urges* the High Commissioner to pursue her efforts, in fulfilment of her mandated responsibility, to enhance support for the promotion and protection of the realization of the right to development, taking as reference the Declaration on the Right to Development, all resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council on the right to development, and agreed conclusions and recommendations of the Working Group on the Right to Development;

4. *Requests* the Office of the High Commissioner, in the implementation of the Declaration on the Right to Development, to take sufficient measures to ensure balanced and visible allocation of resources and due attention to ensure the visibility of the right to development by identifying and implementing tangible projects dedicated to the right to development, in collaboration with the Special Rapporteur on the right to development, and to provide regular updates to the Human Rights Council in this regard;

5. *Recognizes* the need for renewed efforts towards intensifying deliberations in the Working Group to fulfil, at the earliest, its mandate as established by the Commission

[1] A/HRC/39/18.

on Human Rights in its resolution 1998/72 and the Human Rights Council in its resolution 4/4;

6. *Acknowledges* the need to strive for greater acceptance, operationalization and realization of the right to development at the international level, while urging all States to undertake at the national level the necessary policy formulation and to institute the measures required for the implementation of the right to development as an integral part of all human rights and fundamental freedoms;

7. *Welcomes* the celebrations held in 2016 to commemorate the thirtieth anniversary of the Declaration on the Right to Development, including the annual high-level panel discussion on human rights mainstreaming, with the theme "The 2030 Agenda for Sustainable Development and human rights, with an emphasis on the right to development", convened at the thirty-first session of the Human Rights Council, the panel discussion on the promotion and protection of the right to development, convened at the thirty-second session of the Council, and the high-level segment of the General Assembly to commemorate the thirtieth anniversary of the Declaration on the Right to Development, held at the seventy-first session of the Assembly, which provided a unique opportunity to Member States to demonstrate and reiterate their political commitment, accord the right to development the great attention it deserves and to redouble their efforts towards the realization of the right to development;

8. *Also welcomes* the report of the Chair-Rapporteur of the Working Group on the Right to Development on its nineteenth session;[2]

9. *Stresses* the importance of the core principles contained in the conclusions of the Working Group at its third session[3] that are congruent with the purpose of international human rights instruments, such as equality, non-discrimination, accountability, participation and international cooperation, as critical to mainstreaming the right to development at the national and international levels, and underlines the importance of the principles of equity and transparency;

10. *Welcomes* the re-election of the Chair-Rapporteur of the Working Group and the skill with which he led the discussions at the nineteenth session;

11. *Notes* the presentation to the Working Group at its nineteenth session of the set of standards for the implementation of the right to development prepared by the Chair-Rapporteur of the Working Group,[4] which is a useful basis for further deliberations on the implementation and realization of the right to development;

12. *Acknowledges* the preparation by the secretariat of a paper containing comments and views submitted by Governments, groups of Governments, regional groups and stakeholders on the criteria and operational subcriteria of the right to development;[5]

13. *Acknowledges with appreciation* the proposal by the Movement of Non-Aligned Countries on a set of standards regarding the implementation and realization of the right to development[6] and its further contributions aimed at finalizing the criteria and subcriteria of the right to development;[7]

14. *Requests* the High Commissioner to facilitate the participation of experts in the twentieth session of the Working Group, to provide advice with a view to contributing to discussions on the implementation and realization of the right to development, including the implications of the 2030 Agenda, and looks forward to the possible engagement of the Working Group with the high-level political forum on sustainable development;

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[2] A/HRC/39/56.
[3] See E/CN.4/2002/28/Rev.1.
[4] A/HRC/WG.2/17/2.
[5] A/HRC/WG.2/18/CRP.1.
[6] A/HRC/WG.2/18/G/1.
[7] See A/HRC/WG.2/18/CRP.1.

15. *Welcomes* the report of the Special Rapporteur on the right to development submitted to the Human Rights Council,[8] and requests him to pay particular attention to the implementation of the right to development, which facilitates the full enjoyment of human rights, in accordance with his mandate;

16. *Also welcomes* the consultations with States and the regional consultations already held by the Special Rapporteur on the implementation of the right to development;

17. *Decides*:

(a) To continue to act to ensure that its agenda promotes and advances sustainable development and the achievement of the remaining Millennium Development Goals and the Sustainable Development Goals, and in this regard lead to raising the right to development, as set out in paragraphs 5 and 10 of the Vienna Declaration and Programme of Action, to the same level and on a par with all other human rights and fundamental freedoms;

(b) To endorse the recommendations of the Working Group adopted at its nineteenth session;

(c) That the Working Group shall take into account Human Rights Council resolutions 9/3 and 36/9;

(d) That the Working Group shall invite the Special Rapporteur, in consultation with Member States, to provide his views on the work of the Working Group and its relevant agenda items, at its twentieth session;

(e) That the Working Group at its twentieth session shall commence the discussion to elaborate a draft legally binding instrument on the right to development through a collaborative process of engagement, including on the content and scope of the future instrument;

(f) That the Chair-Rapporteur of the Working Group shall prepare a draft legally binding instrument on the basis of the discussions held during the twentieth session of the Working Group and the resource material from previous Working Group sessions, to serve as a basis for substantive negotiations on a draft legally binding instrument, commencing at its twenty-first session;

18. *Requests* the Human Rights Council Advisory Committee, while taking into account the views of Member States, to prepare a research-based report on the importance of a legally binding instrument on the right to development, to present an oral update on the preparation of the report to the Council at its forty-second session, and to present the report to the Council at its forty-fifth session;

19. *Requests* the Special Rapporteur to participate in relevant international dialogues and policy forums relating to the implementation of the 2030 Agenda, including the high level political forum on sustainable development, financing for development, climate change and disaster risk reduction, with a view to enhancing the integration of the right to development in these forums and dialogues, and requests Member States, international organizations, United Nations agencies, regional economic commissions and other relevant organizations to facilitate the meaningful participation of the Special Rapporteur in these forums and dialogues;

20. *Invites* the Special Rapporteur to provide advice to States, international financial and economic institutions and other relevant entities, the corporate sector and civil society on measures to achieve the goals and targets relating to the means of implementation of the 2030 Agenda for the full realization of the right to development;

21. *Encourages* relevant bodies of the United Nations system, within their respective mandates, including United Nations specialized agencies, funds and programmes, relevant international organizations, such as the World Trade Organization and relevant stakeholders, including civil society organizations, to give due consideration to

[8] A/HRC/39/51.

the right to development in the implementation of the 2030 Agenda, to contribute further to the work of the Working Group and to cooperate with the High Commissioner and the Special Rapporteur in the fulfilment of their mandates with regard to the implementation of the right to development;

22. *Decides* to review the progress of the implementation of the present resolution, as a matter of priority, at its future sessions.

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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania,* Australia, Austria,* Belgium, Benin,* Bulgaria,* Burkina Faso,* Canada,* Chile, Colombia,* Czechia,* Democratic Republic of the Congo, Denmark,* Estonia,* Finland,* France,* Georgia, Germany, Greece,* Iceland, Latvia,* Lithuania,* Luxembourg,* Madagascar,* Montenegro,* Netherlands,* New Zealand,* Norway,* Peru, Portugal,* Romania,* Serbia,* Slovenia, Spain, Sweden,* Switzerland, the former Yugoslav Republic of Macedonia,* United Kingdom of Great Britain and Northern Ireland, Ukraine: draft resolution

39/... Preventable maternal mortality and morbidity and human rights in humanitarian settings

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, and recalling relevant international instruments, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of Persons with Disabilities,

Recalling the Geneva Conventions of 12 August 1949, the Additional Protocols thereto of 8 June 1977, and the Convention relating to the Status of Refugees,

Recalling also the resolutions adopted by the Security Council on women, peace and security,

Recalling further General Assembly resolution 72/132 of 11 December 2017 on international cooperation on humanitarian assistance in the field of natural disasters, from relief to development,

Recognizing that preventing maternal mortality and morbidity is one of the human rights priorities for all States, and reaffirming that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing,

* State not a member of the Human Rights Council.

Recalling previous Human Rights Council resolutions on preventable maternal mortality and morbidity and human rights,

Reaffirming the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and their review conferences and outcome documents, and reaffirming also the resolutions and agreed conclusions of the Commission on the Status of Women, and the resolutions of the Commission on Population and Development,

Recalling the Secretary-General's renewed Global Strategy on Women's, Children's and Adolescents' Health, and recognizing the important role it can play in reducing preventable maternal mortality and morbidity,

Welcoming the efforts of the World Health Organization, the United Nations Population Fund and other United Nations agencies, funds and programmes, within their respective mandates, to prevent maternal mortality and morbidity, and recalling the global commitment to the reduction of maternal mortality and to promote sexual and reproductive health and reproductive rights,

Welcoming also the efforts of the Inter-agency Working Group on Reproductive Health in Crises of the Inter-agency Standing Committee Reference Group on Principled Humanitarian Action to expand and strengthen access to quality sexual and reproductive health-care services for people in humanitarian settings,

Taking note of the report and the recommendations of the High-level Working Group on the Health and Human Rights of Women, Children and Adolescents,[1] the cooperation framework between the World Health Organization and the Office of the United Nations High Commissioner for Human Rights and that between the Office of the High Commissioner and the United Nations Population Fund, and also of the draft articles on the protection of persons in the event of disasters, adopted by the International Law Commission,[2]

Recognizing the importance of strengthening coordination between all relevant United Nations agencies, entities providing humanitarian assistance and civil society organizations in accordance with their respective mandates, and the need for States to ensure fully respect for and the protection and fulfilment of sexual and reproductive health and reproductive rights in reducing preventable maternal mortality and morbidity in humanitarian settings,

Acknowledging that international humanitarian law and international human rights law are complementary and mutually reinforcing, and recognizing that persons affected by disasters are entitled to the respect for and protection of their human rights in accordance with international law,

Reaffirming that States have an obligation to take steps to achieve the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including the right to sexual and reproductive health, free from discrimination, including in humanitarian settings,

Recognizing that a human rights-based approach to the elimination of preventable maternal mortality and morbidity is underpinned by the principles of, inter alia, accountability, participation, transparency, empowerment, sustainability, non-discrimination and international cooperation,

Stressing that reducing maternal mortality and morbidity with full respect of States' human rights obligations and commitments will require efforts across the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda of the Third International

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[1] *Leading the Realization of Human Rights to Health and through Health*, report of the High-level Working Group on the Health and Human Rights of Women, Children and Adolescents (Geneva, World Health Organization, 2017).

[2] See A/71/10.

Conference on Financing for Development and in the means of implementation of the 2030 Agenda,

Recognizing that respect for and the protection and fulfilment of the full enjoyment of human rights by all women and girls and the full implementation of all Goals and targets of the 2030 Agenda, including Goal 5 on achieving gender equality and empower all women and girls and target 3.1 on reducing global maternal mortality, are interrelated and mutually reinforcing,

Recognizing that sexual and reproductive health and reproductive rights are integral to the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and that comprehensive sexual and reproductive health-care services must have the interrelated and essential elements of availability, accessibility, acceptability and quality, on the basis of non-discrimination and formal and substantive equality, including by addressing multiple and intersecting forms of discrimination,

Deeply concerned that there are continuing violations of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including the right to sexual and reproductive health, which have a negative impact on rates of maternal mortality and morbidity, and that the full enjoyment of this right remains a distant goal for many women and girls throughout the world,

Recognizing that violations of the right to sexual and reproductive health, including inadequate emergency obstetric services and unsafe abortion, can cause high levels of maternal morbidity, including obstetric fistula, leading to ill health and death for women and girls of childbearing age in many regions of the world, and particularly in humanitarian settings, and that a dramatic and sustainable scaling up of quality treatment and health-care services, including high-quality emergency obstetric services and also of the number of trained, competent fistula surgeons and midwives, is needed to significantly reduce maternal and new-born mortality and to eradicate obstetric fistula,

Recognizing also that humanitarian settings may exacerbate pre-existing patterns and structures of discrimination and inequalities and further undermine access to health care, information and services, housing, water, sanitation, education and employment for women and girls, and that in affected areas access to essential services, such as health-care services, including sexual and reproductive health-care services, are disrupted owing to inadequate infrastructure, lack of professional health-care workers, basic medicines and health-care supplies and survivor-centred referral pathways for all survivors of sexual and gender-based violence,

Recognizing further that, in humanitarian settings, disintegrating judicial systems, discrimination on the basis of gender and against refugee populations in host countries, fear of reprisals against their families or themselves, and the stigma associated with sexual and gender-based violence all prevent women and girl survivors of sexual and gender-based violence and those denied access to sexual and reproductive health-care services from reporting sexual violence and seeking justice, accountability and remedies for the violations they have endured,

Deeply concerned that women and girls living in humanitarian settings are disproportionately exposed to a high risk of violation of their rights, including through trafficking, sexual and gender-based violence, systematic rape, sexual slavery, forced sterilization, forced pregnancy, harmful practices such as child, early and forced marriage, and lack of accessible and appropriate sexual and reproductive health-care services, evidence-based information and education, including comprehensive sexuality education consistent with the evolving capacities of the child, lack of access to perinatal care, including skilled birth attendance, and emergency obstetric care, poverty, underdevelopment, all types of malnutrition, lack of access to medicines and medical equipment, human and material shortages facing health-care systems, humanitarian and funding shortages affecting hospitals, technical assistance, capacity-building and training needs, and lack of access to water and sanitation, resulting in heightened risks of unwanted pregnancies, unsafe abortion and maternal mortality and morbidity,

Reaffirming that the human rights of women and girls include their right to have control over and to decide freely and responsibly on matters relating to their sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and that equal relationships in matters of sexual relations and reproduction, including full respect for their dignity, integrity and bodily autonomy, require mutual respect, consent and shared responsibility for sexual behaviour and its consequences,

Recognizing that there are large disparities in maternal mortality and morbidity rates between countries, but also within countries, and between women and girls facing multiple and intersecting forms of discrimination, and noting with concern that the risk of maternal mortality is higher for adolescents and highest for adolescent girls under 15 years of age, and that complications in pregnancy and childbirth are a leading cause of death among adolescent girls in developing countries, which creates the need to address all social, economic and environment determinants of health in order to reduce the aforementioned disparities,

Deeply concerned that in countries designated as fragile States, the estimated lifetime risk of maternal mortality is 1 in 54 compared to 1 in 180 globally, and that the majority of preventable maternal deaths have occurred in settings of conflict, natural disasters and displacement,

Convinced that greater political will and commitment, international cooperation and technical assistance at all levels are urgently required to reduce the unacceptably high global rate of preventable maternal mortality and morbidity, both globally and in humanitarian settings, and that the integration of a human rights-based approach to the provision of sexual and reproductive health-care services can contribute positively to the common goal of reducing that rate,

Recognizing the need for further disaggregated data on maternal mortality and morbidity rates, and for access to sexual and reproductive health-care services in humanitarian settings,

Acknowledging that the failure to prevent maternal mortality and morbidity is one of the most significant barriers to the empowerment of women and girls in all aspects of life, the full enjoyment of their human rights, their ability to reach their full potential and to sustainable development in general, and recognizing the need to bridge the humanitarian-development divide,

1. *Urges* all States to eliminate preventable maternal mortality and to respect, protect and fulfil sexual and reproductive health and reproductive rights, in accordance with the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development and their review conference and outcome documents, and the right of everyone to have full control over and decide freely and responsibly on all matters relating to their sexuality and sexual and reproductive health, free from discrimination, coercion and violence, including through the removal of legal barriers and the development and enforcement of policies, good practices and legal frameworks that respect the right to bodily autonomy and guarantee universal access to sexual and reproductive health, services, evidence-based information and education within a human rights-based approach, including for family planning, safe and effective methods of modern contraception, emergency contraception, universal access to health care, including quality maternal health care, such as skilled birth attendance and emergency obstetric care, safe abortion in accordance with international human rights law and standards and where not against national law, the prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers, and the integration of sexual and reproductive health into national health strategies and programmes for all women and girls, including adolescents;

2. *Urges* States, in accordance with obligations under relevant provisions of international human rights law, including the right to the enjoyment of the highest attainable standard of physical and mental health and the right to sexual and reproductive health, to ensure the availability, accessibility, acceptability and quality of health-care services, including mental health care and psychosocial services and sexual and reproductive health- care services, free of coercion, discrimination and violence;

3. *Calls upon* States to pay special attention to the particular situation of adolescent girls in humanitarian settings, who may have to assume adult responsibilities and are exposed to higher risks of sexual and gender-based violence, child, early and forced marriage and trafficking, and are likely to be denied education, skills training, safe employment opportunities and access to sexual and reproductive health-care services and information, and to face isolation, discrimination and stigma, mental health issues and risk-taking behaviour;

4. *Encourages* all stakeholders to use the Inter-Agency Standing Committee's Guidelines for Integrating Gender-based Violence Interventions in Humanitarian Action, the its Gender Handbook and the Inter-agency Field Manual on Reproductive Health in Humanitarian Settings, and to ensure delivery of the Minimum Initial Service Package for Reproductive Health at the onset of humanitarian emergencies, with particular attention to women and girls facing multiple and intersecting forms of discrimination and in situations of vulnerability, and to ensure a transition, as soon as possible, towards comprehensive sexual and reproductive health-care services, information and education;

5. *Encourages* Governments, local authorities, the United Nations system and regional organizations, and invites donors and other assisting countries, to address the vulnerabilities and capacities of women and girls through gender-responsive programming, including with regard to sexual and reproductive health needs and the means to address sexual and gender-based violence and various forms of exploitation during emergencies and in post-disaster environments, and the allocation of resources in their disaster risk reduction, response and recovery efforts in coordination with the Governments of affected countries;

6. *Strongly urges* States and all parties to armed conflict to take effective measures to prevent and address acts of violence, attacks and threats against medical personnel and humanitarian personnel exclusively assigned to medical duties, their means of transport and equipment, as well as hospitals and other medical facilities in armed conflict, including through the development of domestic legal frameworks to ensure respect for their relevant international legal obligations;

7. *Takes note with appreciation* of the report of the Office of the United Nations High Commissioner for Human Rights on the follow-up on the application of the technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal mortality and morbidity,[1] and encourages States and stakeholders to consider the adoption of the recommendations contained therein;

8. *Requests* States and other relevant actors to give renewed emphasis to maternal mortality and morbidity initiatives in their development partnerships and international assistance and cooperation arrangements, including by strengthening technical cooperation to address maternal mortality and morbidity, including through the transfer of expertise, technology and scientific data, and exchanging good practices with developing countries, while honouring existing commitments, and to integrate a human rights-based perspective into such initiatives, addressing the impact that discrimination against women and girls has on maternal mortality and morbidity;

9. *Urges* States to ensure that laws, policies and practices respect women's and girls' right to bodily autonomy and privacy by bringing laws and policies concerning sexual and reproductive health, including international assistance policies, into line with international human rights standards and repealing discriminatory laws relating to third-party authorization for health information and services, and combating gender stereotypes, norms and behaviours that are discriminatory;

10. *Also urges* States to ensure access to justice and accountability mechanisms and timely and effective remedies for the effective implementation and enforcement of laws aimed at preventing violations of the right to sexual and reproductive health, including

[1] A/HRC/39/26.

those aimed at preventing maternal mortality and morbidity, including in humanitarian settings, such as by informing women and girls of their rights under relevant international and domestic law, and by improving legal and health infrastructure and removing all barriers in access to legal counselling, assistance and remedies;

11. *Further urges* States to ensure accountability and gender-sensitive, prompt and effective remedies for the violation of the rights of women and girls in relation to maternal mortality and morbidity in humanitarian settings by including transparent forms of monitoring, review and oversight of humanitarian programmes and policies, including the monitoring of inequities;

12. *Calls upon* States to support gender equality and women's and girls' rights, including within families, through awareness-raising initiatives, including in schools and in displaced and refugee camps and settlements, especially education and public awareness-raising, including through the media and online, the incorporation of curricula on all women's and girls' rights into teacher training courses, including the prevention of sexual and gender-based violence and discrimination, and ensuring universal access to evidence-based comprehensive sexuality education consistent with the evolving capacities of the child;

13. *Urges* States and encourages other relevant stakeholders, including national human rights institutions and non-governmental organizations, to take action at all levels, utilizing a comprehensive human rights-based approach to address the interlinked causes of maternal mortality and morbidity, such as lack of accessible, affordable and appropriate health-care services for all, and of information and education, lack of access to medicine, all types of malnutrition, lack of access to safe drinking water and sanitation, poverty, harmful practices, including child, early and forced marriage and female genital mutilation, early childbearing, gender-based inequalities and all forms of discrimination and violence against women and girls, and to take concrete measures to eliminate all forms of violence against women and girls, especially adolescent girls, and to ensure access to accountability for survivors of sexual and gender-based violence, including effective reparations and guarantees of non-recurrence, such as the prosecution of sexual and gender-based violence committed in humanitarian settings, while ensuring the meaningful and effective participation of women and girls in the relevant processes;

14. *Calls upon* all relevant actors, including Governments, regional organizations, relevant United Nations agencies, national human rights institutions, entities providing humanitarian assistance and civil society organizations to, within their respective mandates, strengthen their efforts to reduce preventable maternal mortality and morbidity in humanitarian settings when designing, implementing and reviewing policies and evaluating programmes to reduce preventable maternal mortality and morbidity, while ensuring the meaningful participation of women and girls in all decisions that affect them;

15. *Calls upon* States to ensure a more holistic and coordinated approach to the humanitarian-development nexus, and places the individual woman and girl at the centre of humanitarian preparedness and response, and recognizes the need to overcome siloed approaches and fragmented programming;

16. *Also calls upon* States to ensure the effective and meaningful participation of women and girls, including through civil society and feminist networks and women's rights organizations, in identifying and determining needs, priorities for funding and service, processes for access and delivery, and crisis response, in recognition of their agency;

17. *Urges* States to strengthen their statistical capacity and to promote reliable transparent, collaborative and disaggregated data collection on the availability, accessibility, acceptability and quality of sexual and reproductive health-care services for all women and girls in affected populations, including host populations;

18. *Invites* States to consider the systematic integration of sexual and reproductive health and reproductive rights into the mandates of investigative bodies established by the Human Rights Council, including commissions of inquiry and fact-finding missions, and to promote an integrated agenda that recognizes and is responsive to the continuum of human rights violations suffered by women and girls in crisis settings and

their consequences, including the displacement of populations and living conditions in humanitarian contexts and settings;

19. *Requests* the High Commissioner to prepare, from within existing resources, in consultation with States, United Nations agencies and all other relevant stakeholders, a follow-up report on good practices and challenges in the application of a human rights-based approach to the elimination of preventable maternal mortality and morbidity, including through the utilization of the technical guidance by States and other relevant actors, including the United Nations Population Fund, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the World Health Organization, and to present it to the Human Rights Council at its forty-fifth session;

20. *Also requests* the High Commissioner, in collaboration with the Inter-agency Working Group on Reproductive Health in Crises, the United Nations Population Fund, the World Health Organization, the United Nations Entity for Gender Equality and the Empowerment of Women and other United Nations specialized agencies, funds and programmes, international human rights mechanisms, entities providing humanitarian assistance and civil society organizations, to organize a two-day meeting in 2019, to discuss good practices, gaps and challenges in the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal mortality and morbidity in humanitarian settings, and to submit a summary report thereon to the Human Rights Council at its forty-second session;

21. *Decides* to remain seized of the matter.

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Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania,* Australia, Austria,* Belgium, Benin,* Bulgaria,* Burkina Faso,* Canada,* Chile, Colombia,* Croatia, Cyprus,* Czechia,* Democratic Republic of the Congo, Denmark,* Estonia,* Fiji,* Finland,* France,* Georgia, Germany, Greece,* Iceland, Ireland,* Latvia,* Lithuania,* Luxembourg,* Madagascar,* Monaco,* Montenegro,* Netherlands,* New Zealand,* Norway,* Peru, Portugal,* Romania,* Serbia,* Slovenia, Spain, Sweden,* Switzerland, the former Yugoslav Republic of Macedonia,* Tunisia, United Kingdom of Great Britain and Northern Ireland, Ukraine, Uruguay:* draft resolution

39/... Preventable maternal mortality and morbidity and human rights in humanitarian settings

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights, and recalling relevant international instruments, including the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of Persons with Disabilities,

Recalling the Geneva Conventions of 12 August 1949, the Additional Protocols thereto of 8 June 1977, and the Convention relating to the Status of Refugees,

Recalling also General Assembly resolution 72/132 of 11 December 2017 on international cooperation on humanitarian assistance in the field of natural disasters, from relief to development,

Recognizing that preventing maternal mortality and morbidity is one of the human rights priorities for all States, and reaffirming that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing,

Recalling previous Human Rights Council resolutions on preventable maternal mortality and morbidity and human rights,

* State not a member of the Human Rights Council.

Reaffirming the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and their review conferences and outcome documents, and reaffirming also the resolutions and agreed conclusions of the Commission on the Status of Women, and the resolutions of the Commission on Population and Development,

Recalling the Secretary-General's renewed Global Strategy on Women's, Children's and Adolescents' Health, and recognizing the important role it can play in reducing preventable maternal mortality and morbidity,

Welcoming the efforts of the World Health Organization, the United Nations Population Fund and other United Nations agencies, funds and programmes, within their respective mandates, to prevent maternal mortality and morbidity, and recalling the global commitment to the reduction of maternal mortality and to promote sexual and reproductive health and reproductive rights, in accordance with the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development and their review conferences and outcome documents,

Taking note of the efforts of the Inter-agency Working Group on Reproductive Health in Crises of the Inter-agency Standing Committee Reference Group on Principled Humanitarian Action to expand and strengthen access to quality sexual and reproductive health-care services for people in humanitarian settings,

Taking note also of the report and the recommendations of the High-level Working Group on the Health and Human Rights of Women, Children and Adolescents,[1] the cooperation framework between the World Health Organization and the Office of the United Nations High Commissioner for Human Rights and that between the Office of the High Commissioner and the United Nations Population Fund, and also of the draft articles on the protection of persons in the event of disasters, adopted by the International Law Commission,[2]

Recognizing the importance of strengthening coordination between all relevant United Nations agencies, entities providing humanitarian assistance and civil society organizations in accordance with their respective mandates, and the need for States to ensure fully respect for and the protection and fulfilment of sexual and reproductive health and reproductive rights, in accordance with the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development and their review conferences and outcome documents, in reducing preventable maternal mortality and morbidity in humanitarian settings,

Acknowledging that international humanitarian law and international human rights law are complementary and mutually reinforcing, and recognizing that persons affected by disasters are entitled to the respect for and protection of their human rights in accordance with international law,

Reaffirming that States have an obligation to take steps to achieve the full realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including sexual and reproductive health, free from discrimination, including in humanitarian settings,

Recognizing that a human rights-based approach to the elimination of preventable maternal mortality and morbidity is underpinned by the principles of, inter alia, accountability, participation, transparency, empowerment, sustainability, non-discrimination and international cooperation,

Stressing that reducing maternal mortality and morbidity with full respect of States' human rights obligations and commitments will require integrated efforts across the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda of the Third

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[1] *Leading the Realization of Human Rights to Health and through Health*, report of the High-level Working Group on the Health and Human Rights of Women, Children and Adolescents (Geneva, World Health Organization, 2017).

[2] See A/71/10.

International Conference on Financing for Development and in the means of implementation of the 2030 Agenda,

Recognizing that respect for and the protection and fulfilment of the full enjoyment of human rights by all women and girls and the full implementation of all Goals and targets of the 2030 Agenda, including Goal 5 on achieving gender equality and empower all women and girls and target 3.1 on reducing global maternal mortality, are interrelated and mutually reinforcing,

Recognizing that sexual and reproductive health and reproductive rights are integral to the realization of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, and that comprehensive sexual and reproductive health-care services must have the interrelated and essential elements of availability, accessibility, acceptability and quality, on the basis of non-discrimination and formal and substantive equality, including by addressing multiple and intersecting forms of discrimination,

Deeply concerned that there are continuing violations of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including sexual and reproductive health, which have a negative impact on rates of maternal mortality and morbidity, and that the full enjoyment of this right remains a distant goal for many women and girls throughout the world,

Recognizing that violations of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including sexual and reproductive health, such as inadequate emergency obstetric services and unsafe abortion, can cause high levels of maternal morbidity, including obstetric fistula, leading to ill health and death for women and girls of childbearing age in many regions of the world, and particularly in humanitarian settings, and that a dramatic and sustainable scaling up of quality treatment and health-care services, including high-quality emergency obstetric services and also of the number of trained, competent fistula surgeons and midwives, is needed to significantly reduce maternal and new-born mortality and to eradicate obstetric fistula,

Recognizing also that humanitarian settings may exacerbate pre-existing patterns and structures of discrimination and inequalities and further undermine access to health care, information and services, housing, water, sanitation, education and employment for women and girls, and that in affected areas access to essential services, such as health-care services, including sexual and reproductive health-care services, are disrupted owing to inadequate infrastructure, lack of professional health-care workers, basic medicines and health-care supplies and survivor-centred referral pathways for all survivors of sexual and gender-based violence,

Recognizing further that, in humanitarian settings, disintegrating judicial systems, gender-based discrimination and discrimination against refugees in host countries, fear of reprisals against their families or themselves, and the stigma associated with sexual and gender-based violence all prevent women and girl survivors of sexual and gender-based violence and those denied access to sexual and reproductive health-care services from reporting sexual violence and seeking justice, accountability and remedies for the violations they have endured,

Deeply concerned that women and girls living in humanitarian settings are disproportionately exposed to a high risk of violation of their rights, including through trafficking, sexual and gender-based violence, systematic rape, sexual slavery, forced sterilization, forced pregnancy, harmful practices such as child, early and forced marriage, and lack of accessible and appropriate sexual and reproductive health-care services, evidence-based information and education, including comprehensive sexuality education consistent with the evolving capacities of the child, lack of access to perinatal care, including skilled birth attendance, and emergency obstetric care, poverty, underdevelopment, all types of malnutrition, lack of access to medicines and medical equipment, human and material shortages facing health-care systems, humanitarian and funding shortages affecting hospitals, technical assistance, capacity-building and training needs, and lack of access to water and sanitation, resulting in heightened risks of unwanted pregnancies, unsafe abortion and maternal mortality and morbidity,

Reaffirming that human rights include the right to have control over and to decide freely and responsibly on matters relating to sexuality, including sexual and reproductive health, free of coercion, discrimination and violence, and that equal relationships in matters of sexual relations and reproduction, including full respect for dignity, integrity and bodily autonomy, require mutual respect, consent and shared responsibility for sexual behaviour and its consequences,

Recognizing that there are large disparities in maternal mortality and morbidity rates between countries, but also within countries, and between women and girls facing multiple and intersecting forms of discrimination, and noting with concern that the risk of maternal mortality is higher for adolescents and highest for adolescent girls under 15 years of age, and that complications in pregnancy and childbirth are a leading cause of death among adolescent girls in developing countries, which creates the need to address all social, economic and environment determinants of health in order to reduce the aforementioned disparities,

Deeply concerned that in countries affected by humanitarian situations, the estimated lifetime risk of maternal mortality is 1 in 54 compared to 1 in 180 globally, and that the majority of preventable maternal deaths have occurred in settings of armed conflict, natural disasters and displacement,

Convinced that greater political will and commitment, international cooperation and technical assistance at all levels are urgently required to reduce the unacceptably high global rate of preventable maternal mortality and morbidity, both globally and in humanitarian settings, and that the integration of a human rights-based approach to the provision of sexual and reproductive health-care services can contribute positively to the common goal of reducing that rate,

Recognizing the need for further disaggregated data on maternal mortality and morbidity rates, and for access to sexual and reproductive health-care services in humanitarian settings,

Acknowledging that the failure to prevent maternal mortality and morbidity is one of the most significant barriers to the empowerment of women and girls in all aspects of life, the full enjoyment of their human rights, their ability to reach their full potential and to sustainable development in general, and recognizing the need to bridge the humanitarian-development divide,

1. *Urges* all States to eliminate preventable maternal mortality and to respect, protect and fulfil sexual and reproductive health and reproductive rights, in accordance with the Beijing Platform for Action and the Programme of Action of the International Conference on Population and Development and their review conference and outcome documents, and the right to have full control over and decide freely and responsibly on all matters relating to sexuality and sexual and reproductive health, free from discrimination, coercion and violence, including through the removal of legal barriers and the development and enforcement of policies, good practices and legal frameworks that respect bodily autonomy and guarantee universal access to sexual and reproductive health-care services, evidence-based information and education within a human rights-based approach, including for family planning, safe and effective methods of modern contraception, emergency contraception, universal access to health care, including quality maternal health care, such as skilled birth attendance and emergency obstetric care, safe abortion in accordance with international human rights law and where not against national law, the prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers, and the integration of sexual and reproductive health into national health strategies and programmes for all women and girls, including adolescents;

2. *Urges* States, in accordance with obligations under relevant provisions of international human rights law, including the right to the enjoyment of the highest attainable standard of physical and mental health, including sexual and reproductive health, to ensure the availability, accessibility, acceptability and quality of health-care services, including mental health care and psychosocial services and sexual and reproductive health-care services, free of coercion, discrimination and violence;

3. *Calls upon* States to pay special attention to the particular situation of adolescent girls in humanitarian settings, who may have to assume adult responsibilities and are exposed to higher risks of sexual and gender-based violence, child, early and forced marriage and trafficking, and are likely to be denied education, skills training, safe employment opportunities and access to sexual and reproductive health-care services and information, and to face isolation, discrimination and stigma, mental health issues and risk-taking behaviour;

4. *Encourages* all stakeholders to consider promoting and using the Inter-Agency Standing Committee's Guidelines for Integrating Gender-based Violence Interventions in Humanitarian Action, the its Gender Handbook and the Inter-agency Field Manual on Reproductive Health in Humanitarian Settings, and to ensure delivery of the Minimum Initial Service Package for Reproductive Health at the onset of humanitarian emergencies, with particular attention to women and girls facing multiple and intersecting forms of discrimination and in situations of vulnerability, and to ensure a transition, as soon as possible, towards comprehensive sexual and reproductive health-care services, information and evidence-based education;

5. *Encourages* Governments, local authorities, the United Nations system and regional organizations, and invites donors and other assisting countries, to address the vulnerabilities and capacities of women and girls through gender-responsive programming, including with regard to sexual and reproductive health needs and the means to address sexual and gender-based violence and various forms of exploitation during emergencies and in post-disaster environments, and the allocation of resources in their disaster risk reduction, response and recovery efforts in coordination with the Governments of affected countries;

6. *Strongly urges* States and all parties to armed conflict to take effective measures to prevent and address acts of violence, attacks and threats against medical personnel and humanitarian personnel exclusively assigned to medical duties, their means of transport and equipment, as well as hospitals and other medical facilities in armed conflict, including through the development of domestic legal frameworks to ensure respect for their relevant international legal obligations;

7. *Takes note with appreciation* of the report of the Office of the United Nations High Commissioner for Human Rights on the follow-up on the application of the technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal mortality and morbidity,[3] and encourages all stakeholders to consider the recommendations contained therein;

8. *Requests* States and other relevant actors to give renewed emphasis to maternal mortality and morbidity initiatives in their development partnerships and international assistance and cooperation arrangements, including by strengthening technical cooperation to address maternal mortality and morbidity, including through the transfer of expertise, technology and scientific data, and exchanging good practices with developing countries, while honouring existing commitments, and to integrate a human rights-based perspective into such initiatives, addressing the impact that discrimination against women and girls has on maternal mortality and morbidity;

9. *Urges* States to ensure that laws, policies and practices respect women's bodily autonomy and privacy and the equal right to decide autonomously in matters regarding their own lives and health by bringing laws and policies concerning sexual and reproductive health, including international assistance policies, into line with international human rights law and repealing discriminatory laws relating to third-party authorization for health information and health-care services, and combating gender stereotypes, norms and behaviours that are discriminatory;

10. *Also urges* States to ensure access to justice and accountability mechanisms and timely and effective remedies for the effective implementation and enforcement of laws

[3] A/HRC/39/26.

aimed at preventing violations of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, including sexual and reproductive health, including those aimed at preventing maternal mortality and morbidity, including in humanitarian settings, such as by informing women of their rights under relevant international and domestic law, and by improving legal and health infrastructure and removing all barriers in access to legal counselling, assistance and remedies;

11. *Further urges* States to ensure accountability and gender-sensitive, prompt and effective remedies for the violation of the rights of women and girls in relation to maternal mortality and morbidity in humanitarian settings by including transparent forms of monitoring, review and oversight of humanitarian programmes and policies, including the monitoring of inequities;

12. *Calls upon* States to support gender equality and women's rights and the rights of the child, including within families, through awareness-raising initiatives, including in schools and in displaced and refugee camps and settlements, especially education and public awareness-raising, including through the media and online, the incorporation of curricula on all women's and girls' rights into teacher training courses, including the prevention of sexual and gender-based violence and discrimination, and ensuring universal access to evidence-based comprehensive sexuality education consistent with the evolving capacities of the child;

13. *Urges* States and encourages other relevant stakeholders, including national human rights institutions and non-governmental organizations, to take action at all levels, utilizing a comprehensive human rights-based approach to address the interlinked causes of maternal mortality and morbidity, such as lack of accessible, affordable and appropriate health-care services for all, and of information and education, lack of access to medicine and medical equipment, all types of malnutrition, lack of access to safe drinking water and sanitation, poverty, underdevelopment, human and material shortages facing health-care systems, humanitarian and funding shortages affecting hospitals, technical assistance, capacity-building and training needs, harmful practices, including child, early and forced marriage and female genital mutilation, early childbearing, gender-based inequalities and all forms of discrimination and violence against women and girls, and to take concrete measures to eliminate all forms of violence against women and girls, especially adolescent girls, and to ensure access to accountability for survivors of sexual and gender-based violence, including effective reparations and guarantees of non-recurrence, such as the prosecution of sexual and gender-based violence committed in humanitarian settings, while ensuring the meaningful and effective participation of women and girls in the relevant processes;

14. *Calls upon* all relevant actors, including Governments, regional organizations, relevant United Nations agencies, national human rights institutions, entities providing humanitarian assistance and civil society organizations to, within their respective mandates, strengthen their efforts to reduce preventable maternal mortality and morbidity in humanitarian settings when designing, implementing and reviewing policies and evaluating programmes to reduce preventable maternal mortality and morbidity, while ensuring the meaningful participation of women and girls in all decisions that affect them;

15. *Calls upon* States to ensure a more holistic and coordinated approach to the humanitarian-development nexus, and places the individual woman and girl at the centre of humanitarian preparedness and response, and recognizes the need to overcome siloed approaches and fragmented programming;

16. *Also calls upon* States to ensure the effective and meaningful participation of women and girls, including through civil society and feminist networks and women's rights organizations, in identifying and determining needs, priorities for funding and service, processes for access and delivery, and crisis response, in recognition of their agency;

17. *Urges* States to strengthen their statistical capacity and to promote reliable transparent, collaborative and disaggregated data collection on the availability, accessibility, acceptability and quality of sexual and reproductive health-care services for all women and girls in affected populations, including host populations;

18. *Invites* States to consider the systematic integration of sexual and reproductive health as an integral part of the right of everyone to the enjoyment of the highest attainable standard of physical and mental health into the mandates of investigative bodies established by the Human Rights Council, including commissions of inquiry and fact-finding missions, and to address human rights violations suffered by women in humanitarian settings;

19. *Requests* the High Commissioner to prepare, from within existing resources, in consultation with States, United Nations agencies and all other relevant stakeholders, a follow-up report on good practices and challenges to respecting, protecting and fulfilling all human rights in the elimination of preventable maternal mortality and morbidity, including through the utilization of the technical guidance by States and other relevant actors, including the United Nations Population Fund, the United Nations Development Programme, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the World Health Organization, and to present it to the Human Rights Council at its forty-fifth session;

20. *Also requests* the High Commissioner, in collaboration with the Inter-agency Working Group on Reproductive Health in Crises, the United Nations Population Fund, the World Health Organization, the United Nations Entity for Gender Equality and the Empowerment of Women and other United Nations specialized agencies, funds and programmes, international human rights mechanisms, entities providing humanitarian assistance and civil society organizations, to organize a two-day meeting in 2019, to discuss good practices, gaps and challenges in the application of a human rights-based approach to the implementation of policies and programmes to reduce preventable maternal mortality and morbidity in humanitarian settings, and to submit a summary report thereon to the Human Rights Council at its forty-second session;

21. *Decides* to remain seized of the matter.